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MISSOURI



REGISTER

John R. Ashcroft  Secretary of State

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April 3, 2023 April 17, 2023	May 1, 2023 May 15, 2023	May 31, 2023 May 31, 2023	June 30, 2023 June 30, 2023

Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please see the website at sos.mo.gov/adrules/pubsched.

HOW TO CITE RULES AND RSMO

RULES

The rules are codified in the *Code of State Regulations* in this system—

Title	CSR	Division	Chapter	Rule
3	<i>Code of</i>	10-	4	115
Department	<i>State</i>	Agency	General area	Specific area
	<i>Regulations</i>	division	regulated	regulated

and should be cited in this manner: 3 CSR 10-4.115.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraphs 1., subparagraphs A., parts (I), subparts (a), items I. and subitems a.

The rule is properly cited by using the full citation; for example, 3 CSR 10-4.115, NOT Rule 10-4.115.

Citations of RSMo are to the *Missouri Revised Statutes* as of the date indicated.

Code and Register on the Internet

The *Code of State Regulations* and *Missouri Register* are available on the Internet.

The *Code* address is sos.mo.gov/adrules/csr/csr

The *Register* address is sos.mo.gov/adrules/moreg/moreg

These websites contain rulemakings and regulations as they appear in the *Code* and *Registers*.

The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo.

**EXECUTIVE ORDER
22-08**

WHEREAS, consistent access to residential heating fuel is critical to public health and well-being; and

WHEREAS, most homes and businesses are wholly reliant on specific residential fuel sources with no way to supplement a major loss with another fuel source; and

WHEREAS, Gygr-Gas previously serviced propane to thousands of customers across forty-two counties in central Missouri; and

WHEREAS, Gygr-Gas has been unresponsive to customers for months, resulting in low or empty propane tanks for many of their customers and leaving them without the ability to heat their homes and businesses; and

WHEREAS, numerous customers paid Gygr-Gas for propane they never received; and

WHEREAS, forecasted severe winter weather risks the safety, welfare, and property of Missourians who will not have adequate heat due to Gygr-Gas's abandonment; and

WHEREAS, the Missouri Propane Safety Commission may also take action to suspend Gygr-Gas's registration due to lapsed insurance; and

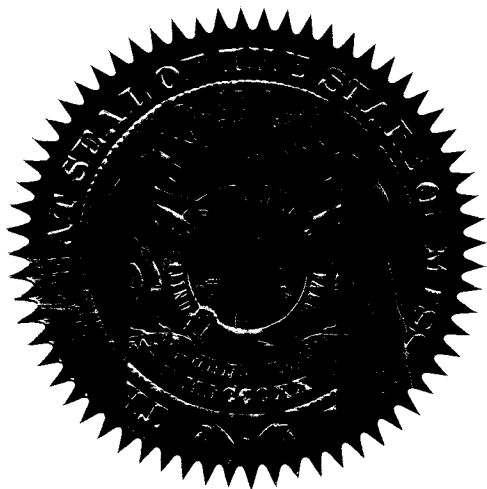
WHEREAS, assistance from other propane companies is requested to ensure affected Missouri families and businesses are not negatively impacted.

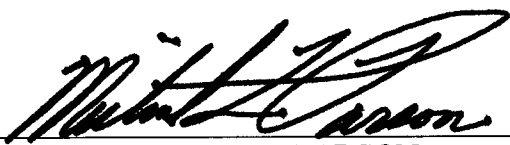
NOW, THEREFORE, I, MICHAEL L. PARSON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and the Laws of the State of Missouri, including Sections 44.100 and 44.110, RSMo, do hereby declare that a State of Emergency exists in the State of Missouri.

While in this State of Emergency, I hereby waive Section 323.030, RSMo, and 2 C.S.R. 90-10.019 to allow other entities registered to fill liquefied petroleum gas containers in this state to fill containers owned by Gygr-Gas. This waiver shall not apply to liquefied petroleum gas containers owned by providers other than Gygr-Gas.

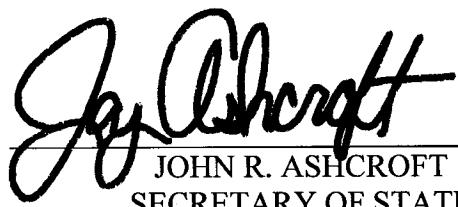
This Order shall terminate on January 1, 2023 unless extended in whole or in part.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 15th day of December, 2022.




MICHAEL L. PARSON
GOVERNOR

ATTEST:


JOHN R. ASHCROFT
SECRETARY OF STATE

The text of proposed rules and changes will appear under this heading. A notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This explanation is set out in the PURPOSE section of each rule. A citation of the legal authority to make rules is also required, and appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbology under the heading of proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules that are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close-of-comments date will be used as the beginning day in the ninety- (90-) day count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice, file a new notice of proposed rulemaking, and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 7 – Wildlife Code: Hunting: Seasons,
Methods, Limits**

PROPOSED AMENDMENT

3 CSR 10-7.410 Hunting Methods. The commission proposes to add a new subsection (1)(F), re-letter subsequent subsections, and amend new subsections (1)(I) and (1)(R) of this rule.

PURPOSE: This amendment adds the new CWD portion of firearms deer season to the Special Harvest Provision section, which restricts the use of methods allowed to hunt other wildlife and to take feral hogs in open counties. This amendment also requires hunters to wear hunter orange during the new CWD portion of firearms deer season in open counties and clarifies the use of a blood-tracking dog for the recovery of wounded black bear, deer, elk, and turkey.

(1) Wildlife may be hunted and taken only in accordance with the following:

(F) Dogs (Recovery of wounded black bear, deer, elk, and turkey). A black bear, deer, elk, or turkey is wounded when a properly licensed hunter has struck an animal with a projectile fired from a legal hunting method during the open season. Leashed dogs under the direct control of a dog handler may be used to track and recover wounded black bear, deer, elk, and turkey only with prior authorization from a conservation agent and only in accordance with the instructions of such agent, including the use and possession of any hunting method by any person participating in tracking or recovery. The use of dogs in accordance with this subsection is specifically excluded from the definitions of chase, pursue, and take as defined in this Code. Dog handlers participating in the recovery of a wounded animal as prescribed in this subsection are exempt from hunting permit requirements, provided they are not the taker of the wounded animal. Dog handlers assisting in the tracking and recovery of a wounded animal may not possess a firearm, bow, or crossbow, except for concealable firearms as defined in Chapter 571, RSMo. Concealable firearms possessed under this exception may not be used to take wildlife;

[(F)](G) Falconry. Birds of prey of designated types may be used to pursue and take wildlife within the specified seasons and bag limits. Birds of prey may be possessed or used only by holders of a falconry permit;

[(G)](H) Firearms. Firearms may be used to take wildlife (except beavers, mink, muskrats, river otters, turtles, and fish) during the open seasons, with the following limitations: For hunting game birds (except crows), pistols, revolvers, and rifles may not be used. Except for hunting black bears, deer, and elk, any shotgun having a capacity of more than three (3) shells must have the magazine cut off or plugged with a device incapable of removal through the loading end, so as to reduce the capacity to not more than three (3) shells in magazine and chamber combined. Fully automatic firearms are prohibited;

[(H)](I) Special [F]firearms [P]provision. During the November portion and the antlerless [portion] and CWD portions of the firearms deer season in counties open to deer hunting, other wildlife may be hunted and feral hogs may be taken only with a pistol, revolver, or rifle firing a rimfire cartridge .22 caliber or smaller or a shotgun and shot not larger than No. 4, except that waterfowl hunters, trappers, landowners on their land may use other methods as specified in subsection (1)[(G)](H) of this rule;

[(I)](J) Bows, [C]crossbows, and [A]atlatl. Bows, crossbows, and atlatl may be used to take wildlife during the prescribed hunting seasons. Arrows, bolts, and darts containing any drug, poison, chemical, or explosive are prohibited, but illuminated sights, scopes, and quickpoint sights may be used. Hand-held string releasing mechanisms are permitted with bows;

[(J)](K) Slingshot. Slingshots may be used to take wildlife (except black bears, deer, elk, and turkeys) during the prescribed hunting seasons;

[(K)](L) Cage-[T]type [T]trap. Groundhogs, rabbits, and squirrels may be taken by cage-type trap, the opening of which may not exceed one hundred forty-four (144) square inches, during the open hunting season, at any hour, by the holder of a hunting permit. Cage-type traps shall be plainly labeled on a durable material with the user's full name and address, or Conservation Number, and shall be attended daily;

[(L)](M) Electronic [C]calls. Electronic calls may be used to pursue and take crows and furbearers, but without the aid of an artificial light or night vision, infrared, or thermal imagery equipment, except when pursuing or taking coyotes in accordance with paragraphs (1)(B)2. and (1)(C)2. of this section.

Electronic calls or electronically-activated calls may not be used or possessed while hunting other species of wildlife except as specifically authorized;

[(M)/(N)] No person shall place or scatter grain or other food items in a manner that subjects any hunter to violation of baiting rules, as defined by federal regulations and in 3 CSR 10-7.431, 3 CSR 10-7.455, 3 CSR 10-7.700, and CSR 10-7.900 of this Code;

[(N)/(O)] Wildlife **[R]**retrieval. Any person while hunting who kills or injures any wildlife shall make a reasonable search to retrieve the wildlife and take it into his/her possession; however, this does not authorize trespass;

[(O)/(P)] Any properly licensed person with disabilities, as defined in this Code, may hunt and take wildlife from a stationary vehicle, provided while hunting s/he carries a physician's statement provided by the department and signed by a licensed physician which certifies the person has either a permanent or temporary disability which qualifies him/her to hunt from a stationary vehicle. Printed copies of the physician's statement form can be obtained from the Missouri Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180 and online at www.missouriconservation.org. This disabled person shall provide a copy of the signed physician's statement to the department within ten (10) days of receiving the exemption;

[(P)/(Q)] Any resident of Missouri under the age of eighteen (18) diagnosed with a terminal illness may use a firearm or approved method for the season to hunt and take one (1) deer and one (1) turkey during any portion of the fall firearms or archery seasons on privately-owned land upon receipt of a method exemption. To receive a method exemption, the person must be sponsored by and participate in a hunt organized by a nonprofit charitable organization that has within its mission to provide opportunities and experiences for terminally ill persons. For purposes of this section, "terminal illness" means an incurable or irreversible condition with a corresponding life expectancy that does not exceed twelve (12) months, which has been documented by a licensed physician. Such person must hunt in the immediate presence of a properly licensed adult hunter who is eighteen (18) years of age or older and who has in his/her possession a valid hunter education certificate card or was born before January 1, 1967. A method exemption shall be issued only once to an individual and will only be valid during the designated seasons within a twelve-(12-) month period;

[(Q)/(R)] Hunter **[O]**range. During the **antlerless**, youth, November, **[and antlerless portions]** and **CWD portions** of the firearms deer hunting season, all hunters shall wear a cap or hat and a shirt, vest, or coat having the outermost color commonly known as hunter orange, which shall be plainly visible from all sides while being worn. Camouflage orange garments do not meet this requirement. This requirement shall not apply to migratory game bird hunters, to hunters using archery methods while hunting within municipal boundaries where discharge of firearms is prohibited, to hunters on federal or state public hunting areas where deer hunting is restricted to archery methods, or to hunters in closed counties during the antlerless **[portion]** and **CWD portions** of the firearms deer hunting season;

[(R)/(S)] Computer-**[A]**ssisted **[R]**emote **[H]**unting. Except as otherwise permitted in this Code, wildlife may be taken only in the immediate physical presence of the taker and may not be taken by use of computer-assisted remote hunting devices; and

[(S)/(T)] Wildlife may not be hunted, pursued, or taken with the use of poisons or tranquilizing drugs.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const., and section 252.040, RSMo 2016. Original rule filed July 22, 1974, effective

Dec. 31, 1974. For intervening history, please consult the Code of State Regulations. Amended: Filed Dec. 7, 2022.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at <https://short.mdc.mo.gov/Z49>. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

TITLE 3 – DEPARTMENT OF CONSERVATION Division 10 – Conservation Commission Chapter 7 – Wildlife Code: Hunting: Seasons, Methods, Limits

PROPOSED AMENDMENT

3 CSR 10-7.431 Deer Hunting Seasons: General Provisions.
The commission proposes to amend subsections (7)(D) and (8) (C) of this rule.

PURPOSE: This amendment exempts hunters from being required to wear hunter orange during the new CWD portion of firearms deer season in closed counties and clarifies the use of a blood-tracking dog for the recovery of wounded deer.

(7) Deer may not be hunted, pursued, taken, or killed –

(D) With the aid of dogs, in use or possession, **except for the recovery of wounded deer as specifically authorized by 3 CSR 10-7.410;**

(8) During the firearms deer hunting season and during managed firearms deer hunts on those areas where such hunts are held, all persons hunting any game, and also adult mentors accompanying them, must wear a cap or hat and a shirt, vest, or coat of the color commonly known as hunter orange, which must be plainly visible from all sides. Camouflage orange garments do not meet this requirement. The following are exempt from this requirement:

(C) All hunters in counties closed during the antlerless **[portion]** and **CWD portions;**

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const., and section 252.040, RSMo 2016. Original rule filed April 29, 2004, effective May 15, 2004. For intervening history, please consult the Code of State Regulations. Amended: Filed Dec. 7, 2022.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at <https://short.mdc.mo.gov/Z49>. To be

considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 7 – Wildlife Code: Hunting: Seasons,
Methods, Limits**

PROPOSED AMENDMENT

3 CSR 10-7.433 Deer: Firearms Hunting Season. The commission proposes to amend subsections (2)(A), (3)(A)-(C), and (4)(B) of this rule.

PURPOSE: This amendment restricts the use of methods allowed to hunt other wildlife and to take feral hogs during the new CWD portion of firearms deer season in open counties. This amendment also prohibits the use of dogs to chase, pursue, or take furbearers during daylight hours in open counties during the new CWD portion, consistent with other portions of the firearms deer season.

(2) Firearms Deer Hunting Permits.

(A) Resident or Nonresident Firearms Any-Deer Hunting Permit: valid for one (1) deer statewide, except that only antlerless deer may be taken during the antlerless portions of the season.

(3) Other wildlife may be hunted during the firearms deer hunting season except as further restricted in this section –

(A) During the November portion statewide and the antlerless **[portion]** and **CWD portions** in open counties, other wildlife (except furbearers) may be hunted only with pistol, revolver, or rifle firing a .22 caliber or smaller rimfire cartridge, or a shotgun and shot not larger than No. 4; except that waterfowl hunters, trappers, or landowners on their land may use other methods as specified in 3 CSR 10-7.410(1)(G)(H); and except that elk hunters may use other methods as specified in 3 CSR 10-7.700(4) during the firearms portion of the elk season;

(B) During the November portion statewide and the antlerless **[portion]** and **CWD portions** in open counties, furbearers may be hunted within the established furbearer hunting seasons during daylight hours using any legal deer hunting method by persons holding an unfilled Firearms Deer hunting permit, and –

1. A Resident Small Game Hunting Permit; or

2. A Nonresident Furbearer Hunting and Trapping Permit;

(C) Furbearers may not be chased, pursued, or taken with the aid of dogs during daylight hours from November 1 through the end of the November portion statewide and the antlerless **[portion]** and **CWD portions** in open counties; and

(4) Feral hogs may be taken in any number during the firearms deer hunting season as follows:

(B) During the November portion statewide and the antlerless **[portion]** and **CWD portions** in open counties –

1. Firearms deer permittees may only use methods allowed for deer;

2. Small game permittees may only use pistol, revolver, or rifle firing a .22 caliber or smaller rimfire cartridge, or a shotgun with shot not larger than No. 4; and

3. Dogs may not be used;

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const., and section 252.040, RSMo 2016. Original rule filed April 29, 2004, effective May 15, 2004. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Dec. 7, 2022.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at <https://short.mdc.mo.gov/Z49>. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 7 – Wildlife Code: Hunting: Seasons,
Methods, Limits**

PROPOSED AMENDMENT

3 CSR 10-7.450 Furbearers: Hunting Seasons, Methods. The commission proposes to amend section (5) of this rule.

PURPOSE: This amendment prohibits the use of dogs to chase, pursue, or take furbearers during daylight hours in open counties during the new CWD portion.

(5) No furbearers may be chased, pursued, or taken during daylight hours with the aid of dogs from November 1 through the prescribed November portion of the firearms deer hunting season, during the **[Antlerless portion]** antlerless and **CWD portions** of the firearms deer hunting season in counties open to deer hunting, during the firearms portion of the elk season in open counties, or with firearms from a boat at night.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const., and section 252.040, RSMo 2016. Original rule filed Aug. 16, 1972, effective Dec. 31, 1972. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Dec. 7, 2022.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at <https://short.mdc.mo.gov/Z49>. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 11 – Wildlife Code: Special Regulations for
Department Areas**

PROPOSED AMENDMENT

3 CSR 10-11.120 Pets and Hunting Dogs. The commission

proposes to add a new section (3) to this rule.

PURPOSE: This amendment clarifies the use of a blood-tracking dog for the recovery of wounded black bear, deer, elk, and turkey on department areas where hunting is permitted.

(3) Dogs may be used for the recovery of wounded bear, deer, elk, and turkey as specifically authorized by 3 CSR 10-7.410 during all hours on those department areas where bear, deer, elk, or turkey hunting are permitted. Any person using dogs in accordance with this section for pay is exempt from the permit requirements of 3 CSR 10-11.111 for commercial use on department areas.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const., and section 252.040, RSMo 2016. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Dec. 7, 2022.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at <https://short.mdc.mo.gov/Z49>. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

TITLE 6 – DEPARTMENT OF HIGHER EDUCATION AND WORKFORCE DEVELOPMENT

Division 10 – Commissioner of Higher Education Chapter 4 – Submission of Academic Information, Data and New Programs

PROPOSED RESCISSION

6 CSR 10-4.030 Approval of Credit Hour Courses for Community Junior Colleges. This rule provided the policy and procedure for the Coordinating Board of Higher Education to garnish the earnings of borrowers to repay defaulted guaranteed student loans.

PURPOSE: The department no longer needs this rule to approve credit-hour courses for community junior colleges.

AUTHORITY: sections 163.191 and 178.780, RSMo (1986). Original rule filed Nov. 2, 1987, effective Jan. 14, 1988. Rescinded: Filed Dec. 2, 2022.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Higher Education and Workforce Development, 301 W. High Street, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publi-

cation of this notice in the **Missouri Register**. No public hearing is scheduled.

TITLE 6 – DEPARTMENT OF HIGHER EDUCATION AND WORKFORCE DEVELOPMENT

Division 25 – Central Missouri State University Chapter 1 – Organization and Description

PROPOSED RESCISSION

6 CSR 25-1.010 General Organization. This rule provided the public with the description of methods and operations and how to obtain information about the institution to comply with section 536.023, RSMo.

PURPOSE: The rule is outdated and no longer serves the institution.

AUTHORITY: sections 174.010–174.120, RSMo 1986, and section 6 of the Omnibus State Reorganization Act of 1974. Original rule filed Aug. 4, 1977, effective Jan. 13, 1978. Rescinded: Filed Dec. 2, 2022.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Higher Education and Workforce Development, 301 W. High Street, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

TITLE 6 – DEPARTMENT OF HIGHER EDUCATION AND WORKFORCE DEVELOPMENT

Division 250 – University of Missouri Chapter 1 – Organization and Description

PROPOSED RESCISSION

6 CSR 250-1.010 General Organization. This rule provided the public with the description of methods and operations and how to obtain information about the institution to comply with section 536.023, RSMo.

PURPOSE: The rule is outdated and no longer serves the institution.

AUTHORITY: section 172.100, RSMo 1986. Original rule filed April 19, 1977, effective Sept. 11, 1977. Amended: Filed Aug. 15, 1985, effective Jan. 1, 1986. Rescinded: Filed Dec. 2, 2022.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Higher Education and Workforce Development, 301 W. High Street, Jefferson City, MO 65101. To be considered,

comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**TITLE 6 – DEPARTMENT OF HIGHER EDUCATION
AND WORKFORCE DEVELOPMENT
Division 250 – University of Missouri
Chapter 1 – Organization and Description**

PROPOSED RESCISSION

6 CSR 250-1.020 Agricultural Experiment Station – General Organization. This rule created the Agricultural Experiment Station to conduct original research and contribute to agricultural industry. The Agricultural Experiment Station is also the administrator and enforcement of some Missouri agricultural law.

PURPOSE: The rule is outdated and no longer serves the institution.

AUTHORITY: sections 266.341, 266.545, and 536.023, RSMo Supp. 1997. This rule was previously filed as 2 CSR 15-1.010. Original rule filed Oct. 13, 1976, effective Jan. 13, 1977. Amended: Filed Aug. 15, 1985, effective Jan. 1, 1986. Amended: Filed Nov. 12, 1998, effective May 30, 1999. Rescinded: Filed Dec. 2, 2022.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Higher Education and Workforce Development, 301 W. High Street, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**TITLE 6 – DEPARTMENT OF HIGHER EDUCATION
AND WORKFORCE DEVELOPMENT
Division 250 – University of Missouri
Chapter 2 – Bylaws of the Board of Curators**

PROPOSED RESCISSION

6 CSR 250-2.010 Definitions. This rule provided definitions of terms and phrases as the terms and phrases relate to the government of the University of Missouri.

PURPOSE: The rule is outdated and no longer serves the institution.

AUTHORITY: section 172.100, RSMo 1986. Original rule filed April 19, 1977, effective Sept. 11, 1977. Rescinded: Filed Dec. 2, 2022.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the

Department of Higher Education and Workforce Development, 301 W. High Street, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**TITLE 6 – DEPARTMENT OF HIGHER EDUCATION
AND WORKFORCE DEVELOPMENT
Division 250 – University of Missouri
Chapter 2 – Bylaws of the Board of Curators**

PROPOSED RESCISSION

6 CSR 250-2.020 Meetings of the Board of Curators. This rule provided the procedure to set meetings of the Board of Curators.

PURPOSE: The rule is outdated and no longer serves the institution.

AUTHORITY: section 172.100, RSMo 1986. Original rule filed April 19, 1977, effective Sept. 11, 1977. Rescinded: Filed Dec. 2, 2022.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Higher Education and Workforce Development, 301 W. High Street, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**TITLE 7 – MISSOURI DEPARTMENT OF
TRANSPORTATION
Division 10 – Missouri Highways and Transportation
Commission
Chapter 7 – Transportation**

PROPOSED AMENDMENT

7 CSR 10-7.010 Distribution of Funds Appropriated to the Missouri Elderly and Handicapped Transportation Assistance Program. The Missouri Highways and Transportation Commission is amending subsections (1)(A), (1)(C), and (2)(B) through (2)(E).

PURPOSE: This amendment amends the term “handicapped” to “handicapped/disabled” except where referencing the statutory program name; removes and simplifies the regulatory burden of varying match requirements to a consistent dollar-for-dollar; removes dates for applications, awards, and disbursements; and removes the monthly disbursement requirement to reduce regulatory burden to align with 7 CSR 10-7.030.

(1) Criteria. The following criteria is to be used to distribute state financial assistance to eligible transportation providers under section 208.260, RSMo:

(A) Eligibility. Applicants must –

1. Meet one (1) of the following criteria:

A. Be incorporated as a not-for-profit corporation in Missouri under the provisions of Chapter 355, RSMo; or

B. Engage the services of a not-for-profit corporation,

County Sheltered Workshop or Developmental Disability Services under the provisions of sections 205.968–205.972, RSMo, or Senior Citizens Service Fund Tax under the provisions of sections 67.990–67.995, RSMo;

2. Show availability of federal, local, or private funds for the project under application;

3. Show that their total operating costs exceed their total operating revenues, including all dues, membership fees, and all other sources of operating revenue; and

4. Show that its costs are limited to operating costs specifically for transporting elderly and handicapped/disabled persons;

(C) Federal, local, and private funds will be matched with program funds **on a dollar-for-dollar basis** to defray transportation operating losses for approved applicants *[by the following procedures:]*.

[1. When an organization receives federal funds from a state agency and a cash match is required, the commission will provide the cash match;

2. If federal funds are received directly from a federal agency and no state program or agency is involved, the commission will provide one-half (1/2) of any cash match, required by the federal program with the remaining one-half (1/2) being provided from other sources; and

3. The commission will match local or private funds on a dollar-for-dollar basis.]

(2) Applications, Awards, and Disbursements.

(B) Applications will be accepted *[through March 31]* each year.

(C) Applications will be processed *[through June 15]* each year.

(D) Announcements of financial assistance to applicants will be made *[by June 30]* each year.

(E) Awards will be made for a period of twelve (12) months *[beginning on July 1 of each year]*. Disbursements will be made *[monthly]* on a reimbursable basis subject to the above conditions.

AUTHORITY: section 208.265, RSMo 2016. This rule was previously filed as 14 CSR 10-2.010. Original rule filed Dec. 1, 1976, effective March 11, 1977. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Dec. 9, 2022.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

TITLE 7 – MISSOURI DEPARTMENT OF TRANSPORTATION

Division 10 – Missouri Highways and Transportation Commission

Chapter 7 – Transportation

PROPOSED AMENDMENT

7 CSR 10-7.030 Distribution of Funds Appropriated to the

Missouri State Transit Assistance Program. The Missouri Highways and Transportation Commission is deleting section (1), renumbering sections (2) through (4), and amending new subsection (2)(D) and new section (3).

PURPOSE: This amendment removes the application paragraph to remain consistent with 7 CSR 10-7.010 and removes the monthly disbursement requirement to reduce regulatory burden.

[(1) Applicants shall complete and submit to the commission a Missouri State Transit Assistance Application for the commission to make its determination of eligibility for the distribution of state financial assistance under the Missouri State Transit Assistance Program. The Missouri State Transit Assistance Application is available on the department's website at <http://www.modot.org/othertransportation/transit/transitapplication-reportsprograms.htm>.]

[(2)](1) Criteria. The following criteria will be used to distribute state financial assistance to eligible public mass transportation service providers under section 226.195, RSMo:

(A) Eligibility.

1. Applicant shall be a mass transportation service provider and shall be one (1) of the following:

A. A city;

B. A city transit authority;

C. A city utilities board;

D. An interstate transportation authority as such term is defined in section 94.600, RSMo;

E. An intrastate transportation authority; or

F. An agency receiving funding, either directly or as a sub-recipient, from either the Federal Transit Administration urbanized or nonurbanized formula transit programs.

2. Applicant shall show that it will incur operating or capital costs to provide public mass transportation service in Missouri; and

(B) Distribution of state financial assistance shall be made on the basis of population, ridership, cost and efficiency of the public mass transportation service provider's program, availability of alternative public transportation in the service area, and local effort or tax support. The commission will determine the allocation of state transit assistance funding to urbanized areas and the allocation to other than urbanized areas.

1. For applicants providing public mass transportation services in U.S. Census urbanized areas with a population of fifty thousand (50,000) persons or greater, the distribution of state financial assistance will be made on the basis of relative point scores determined by the following factors: three- (3-) year average of Missouri ridership (maximum twenty-four and one-half (24.5) points); public mass transportation service area population in Missouri (maximum twenty-four and one-half (24.5) points); annual operating cost of the Missouri portion of the program (maximum twenty-four and one-half (24.5) points); efficiency of the program (maximum one (1) point); availability of alternative public transportation in the public mass transportation service area (maximum one (1) point); and local effort or tax support (maximum twenty-four and one-half (24.5) points); *and*.

2. For applicants providing public mass transportation in areas other than U.S. Census urbanized areas, the distribution of state financial assistance will be made on the following basis of relative point scores determined by the following factors: public mass transportation service area population in Missouri (maximum forty-nine (49) points); three- (3-) year average of Missouri ridership (maximum ten (10) points); annual operating cost of the Missouri portion of the program (maximum twenty-nine (29) points); efficiency of the program (maximum one (1) point); availability of alternative public transportation

in the public mass transportation service area (maximum one (1) point); and local effort or tax support (maximum ten (10) points).

[(3)](2) Applications, Awards, and Disbursements.

(A) Applications will be accepted each year.

(B) Applications will be processed each year. The commission will review the applications. The commission will use the information in the application as well as the other documentation required by this rule to determine if the application is approved. The commission reserves the right to request additional information. The commission may deny funding as a result of applicant's failure to fully and accurately complete the application.

(C) Announcements of financial assistance to applicants will be made each year.

(D) Awards will be made for a period of twelve (12) months. Disbursements will be made *[monthly]* on a reimbursable basis. The commission will review and approve the expenditures on the invoices.

(E) All commission determinations under this rule including[,] but not limited to[,] approval or disapproval of applications, the amount of distributed state assistance, and all other determinations are final and not subject to appeal.

[(4)](3) Information. Information regarding the Missouri State Transit Assistance Program may be obtained from the transit section in the Multimodal Operations Division, 105 West Capitol Avenue, PO Box 270, Jefferson City, MO 65102[, (573) 751-2523].

AUTHORITY: section 226.195, RSMo [Supp. 2012] 2016. Original rule filed Jan. 18, 2013, effective Aug. 30, 2013. Amended: Filed Dec. 9, 2022.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**TITLE 7 – MISSOURI DEPARTMENT OF
TRANSPORTATION
Division 265 – Motor Carrier and Railroad Safety
Chapter 9 – Rail Fixed Guideway Systems**

PROPOSED AMENDMENT

7 CSR 265-9.010 Applicability of Chapter; Definitions. The Missouri Highways and Transportation Commission is amending sections (1) and (2).

PURPOSE: This amendment updates references to changes in the Code of Federal Regulations.

(1) Notwithstanding any provision within 7 CSR 265-8 to the contrary, rail fixed guideway systems (RFGS) as defined in Title 49 Code of Federal Regulations (CFR) *[Parts 659.5 and] Subpart*

674.7 shall be governed by the rules in this chapter, and not by the rules in 7 CSR 265-8. The regulations in 49 CFR Part *[s 659.5 and] 674.7 [are] is* incorporated herein by reference and made a part of this rule as published October 1, 2016, by the Federal Transit Administration, United States Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590. This rule does not incorporate any subsequent amendments or additions *[of these regulations]*.

(2) As used in this chapter unless the context clearly requires otherwise, the following definitions and the definitions in Title 49 CFR Part *[s 659 and] 674* and Title 49 *United States Code* (USC) 5329, which are incorporated by reference and made a part of this rule as published by the United States Government Publishing Office, 732 North Capitol Street NW, Washington, DC 20401 on October 1, 2016, and March 15, 2016, respectively, and this rule does not incorporate any subsequent amendments or additions to the CFRs and USC, apply:

(B) Contractor. An entity that performs tasks required by 49 CFR Part *[659] 674*, on behalf of the rail fixed guideway system or the division. A rail fixed guideway system may not be a contractor for the division;

(I) Rail-highway grade crossing. A location where one (1) or more rail transit system tracks cross a public highway, road, street, or private roadway, and includes a pedestrian grade crossing. *[A rail-highway grade crossing does not include highway or pathway intersections on a street running rail transit system] A rail-highway grade crossing also includes a highway or pathway intersection on a street running rail transit system, excluding driveways and parking lot entrances;*

(K) Rail transit system. A rail *[fixed guideway system (RFGS)]* in accordance with 49 CFR Part 659 and a rail *[fixed guideway]* public transportation system in accordance with 49 CFR Part 674;

*AUTHORITY: sections 389.1005 and 622.027, RSMo 2016. This rule originally filed as 4 CSR 265-9.010. Emergency rule filed Feb. 5, 1993, effective Feb. 15, 1993, expired June 14, 1993. Original rule filed Nov. 4, 1992, effective June 7, 1993. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Dec. 9, 2022.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**TITLE 7 – MISSOURI DEPARTMENT OF
TRANSPORTATION
Division 265 – Motor Carrier and Railroad Safety
Chapter 9 – Rail Fixed Guideway Systems**

PROPOSED AMENDMENT

7 CSR 265-9.020 State Safety Oversight Agency Authorities and Requirements. The Missouri Highways and Transportation Commission is amending the purpose statement and

sections (3) and (7).

PURPOSE: This amendment updates references to the *Code of Federal Regulations*.

PURPOSE: This rule adopts a system safety program standard[,] and requires every rail fixed guideway system to establish, implement, and maintain a system safety program plan and security plan, which meets the FTA requirements under 49 CFR part [659.] 674 and the requirements of this rule.

(3) The division incorporates by reference in this rule the full provisions of [49 Code of Federal Regulations (CFR) Part 659.] 49 USC 5329[,] and 49 Code of Federal Regulations (CFR) Part 674, as published by the United States Government Publishing Office, 732 North Capitol Street NW, Washington, DC 20401 on October 1, 2016, and March 15, 2016, respectively. This rule does not incorporate any subsequent amendments or additions of the CFRs and USC.

(7) Every RFGS shall meet or exceed the FTA's alcohol and controlled substances testing requirements under 49 CFR Parts 40 and 655, which are incorporated herein by reference and made a part of this rule as published [October 1, 2016] in the *Federal Register* 83 FR 63812 December 12, 2018, by the FTA, United States Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590. This rule does not incorporate any subsequent amendments or additions [of these regulations].

AUTHORITY: sections 389.1005 and 622.027, RSMo 2016. This rule originally filed as 4 CSR 265-9.020. Original rule filed Nov. 4, 1992, effective June 7, 1993. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Dec. 9, 2022.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

TITLE 7 – MISSOURI DEPARTMENT OF TRANSPORTATION

Division 265 – Motor Carrier and Railroad Safety Chapter 9 – Rail Fixed Guideway Systems

PROPOSED AMENDMENT

7 CSR 265-9.050 Signs. The Missouri Highways and Transportation Commission is amending sections (1) and (2).

PURPOSE: This amendment updates references to the *Manual on Uniform Traffic Control Devices*.

(1) All safety, directional, warning, and train control signs used on rail fixed guideway systems shall be made of aluminum or other noncorrosive material and covered with a retroreflectORIZED material to show the same shape and color by day or night.

The retroreflectORIZED material used shall meet or exceed the minimum levels specified in the *Manual on Uniform Traffic Control Devices* (MUTCD) (2009 Edition **including Revisions 1 and 2**), which is incorporated by reference and made a part of this rule as published by the Federal Highway Administration (FHWA), United States Department of Transportation (USDOT), 400 7th Street SW, Room 3408, Washington, DC 20590, website: [http://mutcd.fhwa.dot.gov/pdfs/2009r1r2/pdf_index.htm] https://mutcd.fhwa.dot.gov/pdfs/2009r1r2/mutcd2009r1r2edition.pdf. This rule does not incorporate any subsequent amendments or additions of this manual.

(2) The signs shall be maintained in a reasonably clean condition and replaced when they have been impaired by wear or damage. Sign retroreflectivity shall be assessed and maintained according to the minimum retroreflectivity standards of the MUTCD (2009 Edition **including Revisions 1 and 2**), which is incorporated by reference and made a part of this rule as published by the FHWA, USDOT, 400 7th Street SW, Room 3408, Washington, DC 20590, website: [http://mutcd.fhwa.dot.gov/pdfs/2009r1r2/pdf_index.htm] https://mutcd.fhwa.dot.gov/pdfs/2009r1r2/mutcd2009r1r2edition.pdf. This rule does not incorporate any subsequent amendments or additions of this manual.

AUTHORITY: sections 389.1005 and 622.027, RSMo 2016. This rule originally filed as 4 CSR 265-9.050. Original rule filed Nov. 4, 1992, effective June 7, 1993. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Dec. 9, 2022.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

TITLE 7 – MISSOURI DEPARTMENT OF TRANSPORTATION

Division 265 – Motor Carrier and Railroad Safety Chapter 9 – Rail Fixed Guideway Systems

PROPOSED AMENDMENT

7 CSR 265-9.100 Rail-Highway Grade Crossing Construction and Maintenance. The Missouri Highways and Transportation Commission is amending subsection (1)(C).

PURPOSE: This amendment updates references to the *Manual on Uniform Traffic Control Devices*.

(1) Every public rail-highway grade crossing on a rail fixed guideway system (RFGS), whether involving railroad, light rail, or street railroad tracks shall be constructed of materials that will provide a ride quality compatible with that of adjacent roadway surfaces (except that crossings of asphalt material shall have installed headers of equal height to the top of rails installed on both sides of both rails). Rail-highway grade crossings constructed on RFGSs shall have, at a minimum, a

crossing material comparable to or exceeding the material used in the approaching roadway. Grade crossings constructed of unconsolidated material are prohibited.

(C) Width of roadway at a rail-highway grade crossing upon an RFGS should correspond to that of the adjoining highway and have the same number and width of traffic lanes as the adjoining highway, without extra lanes, and with center turn lanes at the crossing delineated. At all paved approaches to the rail-highway grade crossing, the highway traffic lanes in the vicinity of the crossing should be distinctly marked in accordance with the recommendations of the *Manual on Uniform Traffic Control Devices*, (2009 Edition **including Revisions 1 and 2**), which is incorporated by reference and made a part of this rule as published by the Federal Highway Administration, United States Department of Transportation, 400 7th Street SW, Room 3408, Washington, DC 20590, website: [http://mutcd.fhwa.dot.gov/pdfs/2009r1r2/pdf_index.htm] <https://mutcd.fhwa.dot.gov/pdfs/2009r1r2/mutcd2009r1r2edition.pdf>. This rule does not incorporate any subsequent amendments or additions of this manual. These markings are the responsibility of the public highway authorities.

AUTHORITY: sections 389.1005 and 622.027, RSMo 2016. This rule originally filed as 4 CSR 265-9.100. Original rule filed Nov. 4, 1992, effective June 7, 1993. For intervening history, please consult the Code of State Regulations. Amended: Filed Dec. 9, 2022.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**TITLE 7 – MISSOURI DEPARTMENT OF
TRANSPORTATION
Division 265 – Motor Carrier and Railroad Safety
Chapter 9 – Rail Fixed Guideway Systems**

PROPOSED AMENDMENT

7 CSR 265-9.110 Rail-Highway Grade Crossing Warning Devices. The Missouri Highways and Transportation Commission is amending section (1).

*PURPOSE: This amendment updates references to the **Manual on Uniform Traffic Control Devices**.*

(1) The division incorporates by reference in this rule Part 8 of the *Manual on Uniform Traffic Control Devices* (2009 edition **including Revisions 1 and 2**), which is incorporated herein by reference and made a part of this rule as published by the Federal Highway Administration, United States Department of Transportation, 400 7th Street SW, Room 3408, Washington, DC 20590, website: [http://mutcd.fhwa.dot.gov/pdfs/2009r1r2/pdf_index.htm] <https://mutcd.fhwa.dot.gov/pdfs/2009r1r2/mutcd2009r1r2edition.pdf> and makes it applicable to rail fixed guideway systems (RFGS). This rule does not incorporate any subsequent amendments or additions of this manual. Part

8, entitled “Traffic Control for Railroad and Light Rail Transit Grade Crossings,” establishes standards for the design, installation, and operation of rail-highway grade crossing warning devices. The commission recommends that the standards in Part 8 be applied in the installation of all grade crossing warning systems on RFGSs in Missouri, unless otherwise provided by rule of the commission or order of the division.

*AUTHORITY: sections 389.1005 and 622.027, RSMo 2016. This rule originally filed as 4 CSR 265-9.110. Emergency rule filed Feb. 5, 1993, effective Feb. 15, 1993, expired June 14, 1993. Original rule filed Nov. 4, 1992, effective June 7, 1993. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Dec. 9, 2022.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**TITLE 11 – DEPARTMENT OF PUBLIC SAFETY
Division 40 – Division of Fire Safety
Chapter 2 – Boiler and Pressure Vessel Safety Rules**

PROPOSED AMENDMENT

11 CSR 40-2.022 Certificates, Inspections, and Fees. The board is amending the title and section (14).

PURPOSE: This rule is being amended to update the fee schedule.

(14) Fee Schedule.

(A) Inspections by the chief inspector or deputy inspector shall be paid in accordance with the fee schedule below. These inspection fees are in addition to the inspection certificate fee.

1. Power Boilers[;]–
 - A. Internal inspections –

4,000 lbs/hr capacity or less	[\$35] \$125
Over 4,000 lbs/hr up to 16,000 lbs/hr	[\$60] \$150
16,000 lbs/hr or greater	[Hourly Rate] \$195
 - B. External [/]inspections –

4,000 lbs/hr capacity or less	[\$25] \$85
Over 4,000 lbs/hr	[\$35] \$110
2. Heating Boilers, Water Heaters, Pool Heaters, and Fired Vessels[;]–
 - A. Internal inspections –

4,000 lbs/hr capacity or less	[\$35] \$85
Greater than 4,000 lbs/hr	[\$45] \$95
 - B. External inspections –

Hot water heating boilers, hot water supply boilers, pool heaters, circulating water heaters, and steam heating boilers less than or equal to 15 psi	[\$25] \$70
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- Fired storage water heaters and fired jacketed steam kettles ~~[\$18]~~ **\$60**
3. Pressure Vessels~~;~~—
- A. 1,000 cu. ft. (7,500 gal.) or less in volume ~~[\$16]~~ **\$50**
- B. Over 1,000 cu. ft. (7,500 gal.) in volume ~~[\$25]~~ **\$60**
- C. Internal inspection requiring entry ~~[Hourly Rate]~~ **\$70**
- D. No more than one hundred twenty dollars (\$120) shall be charged for any one (1) pressure vessel, except inspection under subparagraph (14)(A)3.C.~~;~~ **and paragraph (14)(B)7.**, in any one (1) year for a routine certificate inspection.
- (B) Miscellaneous ~~[F]~~fees.
1. Examination ~~[F]~~fees ~~[\$50]~~ **\$70**
2. Commissions
- A. New issuance ~~[\$50]~~ **\$45**
- B. Renewal (commission previous year) ~~[\$25]~~ **\$35**
3. Inspection certificate ~~[\$20]~~ **\$40**
4. **Reprint for each certificate/**Change of certificate name **for each** ~~[\$15]~~ **\$30**
5. Accreditation reviews—
- ASME and National Board ~~[\$1,000]~~ **\$1,040** plus expenses
6. Hourly ~~[R]~~rates:
- A. Each hour or part thereof up to eight hours ~~[\$35]~~ **\$100**
- B. Each hour or part thereof over eight hours in any one **(1)** day ~~[\$50]~~ **\$115**
7. Reinspection fee for improperly prepared object ~~[H]~~hourly ~~[R]~~rate plus expenses

AUTHORITY: sections 650.215, 650.275, and 650.277, RSMo [2000] 2016. Original rule filed Sept. 25, 2002, effective May 30, 2003. Amended: Filed June 30, 2009, effective Feb. 28, 2010. Amended: Filed Dec. 12, 2022.

PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions ninety-eight thousand nine hundred ninety-four dollars and ninety-three cents (\$98,994.93) in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities five hundred forty-seven thousand five hundred forty-nine dollars and seven cents (\$547,549.07) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support or in opposition to this proposed amendment with the Department of Public Safety, Division of Fire Safety, ATTN: Boiler and Pressure Vessel Safety Rules, 206 Jefferson St., 13th Floor, Jefferson City, MO 65101-4421. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**FISCAL NOTE
PUBLIC COST**

- I. Department Title:** Department of Public Safety
Division Title: Division of Fire Safety
Chapter Title: Boiler and Pressure Vessel Safety Rules

Rule Number and Title:	11 CSR 40-2.022 Certificates, Inspections and Fees.
Type of Rulemaking:	Amendment

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Cities	\$10,416.39
Community colleges	\$3,368.87
Counties	\$4,832.39
Department of Agriculture	\$341.55
Department of Conservation	\$595.73
Department of Corrections	\$8,277.71
Department of Labor and Industrial Relations	\$19.86
Department of the National Guard	\$44.68
Department of Public Safety - Missouri Veterans Commission	\$3,127.60
Department of Transportation	\$2,589.45
Fire protection districts	\$95.32
Higher education institutions (other than community colleges or University of Missouri)	\$5,774.64
Hospitals	\$5,319.90
Housing authorities	\$587.79
Kansas City Board of Police Commissioners	\$724.81
Libraries	\$99.29
Missouri State Employee Retirement System	\$39.72
Nursing home districts	\$97.30
Office of Administration	\$4,650.69

School districts	\$38,299.67
University of Missouri	\$9,572.44
Water and sewer districts	\$119.15

III. WORKSHEET

(Items inspected x Proposed fee) – (Items inspected x Current fee) = Difference

Type of Fee	Est. Items Inspected	Proposed Fee	Total Proposed	Current Fee	Total Current	Difference
CERT – Boiler Certificate	7,340	\$40.00	\$293,600.00	\$20.00	\$146,800.00	\$146,800.00
CERT – Pressure Vessel Certificate	12,485	\$40.00	\$499,400.00	\$20.00	\$249,700.00	\$249,700.00
INSP – Fired Storage Water Heater or Fired Jacketed Steam Kettle – External	296	\$60.00	\$17,760.00	\$18.00	\$5,328.00	\$12,432.00
INSP – Heating Boilers, Water Heaters, Pool Heaters, and Fired Vessels – External	1,179	\$70.00	\$82,530.00	\$25.00	\$29,475.00	\$53,055.00
INSP – Heating Boilers, Water Heaters, Pool Heaters, and Fired Vessels – Internal – 4,000 lbs/hr or less	42	\$85.00	\$3,570.00	\$35.00	\$1,470.00	\$2,100.00
INSP – Heating Boilers, Water Heaters, Pool Heaters, and Fired Vessels – Over 4,000 lbs/hr	12	\$95.00	\$1,140.00	\$45.00	\$540.00	\$600.00
INSP – Power Boilers – External – 4,000 lbs/hr or less	32	\$85.00	\$2,720.00	\$25.00	\$800.00	\$1,920.00
INSP – Power Boilers – External – Over 4,000 lbs or less	21	\$95.00	\$1,995.00	\$35.00	\$735.00	\$1,260.00
INSP – Power Boilers – Internal – 4,000 lbs/hr or less	106	\$125.00	\$13,250.00	\$35.00	\$3,710.00	\$9,540.00
INSP – Power Boilers – 4,000 to 16,000 lbs/hr	95	\$150.00	\$14,250.00	\$60.00	\$5,700.00	\$8,550.00
INSP – Power Boilers – Internal – Over 16,000/hr	10	\$195.00	\$1,950.00	\$72.50	\$725.00	\$1,225.00

INSP – Pressure Vessel Inspection Fee	3	\$50.00	\$150.00	\$16.00	\$48.00	\$102.00
INSP – Pressure Vessels – External – 1,000 cu ft (7,500 gal.) or less	4,445	\$50.00	\$222,250.00	\$16.00	\$71,120.00	\$151,130.00
INSP – Pressure Vessels – External – Over 1,000 cu ft (7,500 gal.) or less	27	\$60.00	\$1,620.00	\$25.00	\$675.00	\$945.00
INSP – Pressure Vessels – Internal Inspection Requiring Entry	2	\$70.00	\$140.00	\$35.00	\$70.00	\$70.00
MISC – Commission – New Issuance	4	\$45.00	\$180.00	\$50.00	\$200.00	(\$20.00)
MISC – Commission – Renewal	70	\$35.00	\$2,450.00	\$25.00	\$1,750.00	\$700.00
MISC – Miscellaneous	3	\$100.00	\$300.00	\$35.00	\$105.00	\$195.00
MISC – Reinspection Fee for Improperly Prepared Objects	96	\$100.00	\$9,600.00	\$35.00	\$3,360.00	\$6,240.00
Subtotal						\$646,544.00

Public entity FY2022 percentage of fees assessed x \$646,544.00 total estimated increase = projected additional amount by entity or class of subdivision

Public entity	FY22 % of fees	X	\$646,544.00	=	Projected add'l amt
Cities	1.61%	X	\$646,544.00	=	\$10,416.39
Community colleges	0.52%	X	\$646,544.00	=	\$3,368.87
Counties	0.75%	X	\$646,544.00	=	\$4,832.39
Department of Agriculture	0.05%	X	\$646,544.00	=	\$341.55
Department of Conservation	0.09%	X	\$646,544.00	=	\$595.73
Department of Corrections	1.28%	X	\$646,544.00	=	\$8,277.71
Department of Labor and Industrial Relations	0.00%	X	\$646,544.00	=	\$19.86
Department of the National Guard	0.01%	X	\$646,544.00	=	\$44.68
Department of Public Safety - Missouri Veterans Commission	0.48%	X	\$646,544.00	=	\$3,127.60
Department of Transportation	0.40%	X	\$646,544.00	=	\$2,589.45
Fire protection districts	0.01%	X	\$646,544.00	=	\$95.32
Higher education institutions (other than community colleges or University of Missouri)	0.89%	X	\$646,544.00	=	\$5,774.64
Hospitals	0.82%	X	\$646,544.00	=	\$5,319.90
Housing authorities	0.09%	X	\$646,544.00	=	\$587.79
Kansas City Board of Police Commissioners	0.11%	X	\$646,544.00	=	\$724.81

Libraries	0.02%	X	\$646,544.00	=	\$99.29
Missouri State Employee Retirement System	0.01%	X	\$646,544.00	=	\$39.72
Nursing home districts	0.02%	X	\$646,544.00	=	\$97.30
Office of Administration	0.72%	X	\$646,544.00	=	\$4,650.69
School districts	5.92%	X	\$646,544.00	=	\$38,299.67
University of Missouri	1.48%	X	\$646,544.00	=	\$9,572.44
Water and sewer districts	0.02%	X	\$646,544.00	=	\$119.15
Total					\$98,994.93

Due to rounding, totals may not equal amount shown.

IV. ASSUMPTIONS

To estimate the number of items inspected annually, the Board averaged the number of items inspected in fiscal years 2020, 2021, and 2022.

The proposed fee is based on the average fee assessed by all states that regulate boilers and pressure vessels. The Board rounded down all fees to the nearest \$5 or \$10, e.g., if a fee was \$29, then this was rounded down to \$25.

The Board determined that its inspections in Fiscal Year 2022, covering July 1, 2021 to June 30, 2022 were generally representative of its inspections conducted in a given year. It then reviewed its invoices to determine the percentage of fees invoiced to each category of public entities. That percentage was then multiplied by the total estimated fee change to determine the anticipated increase for each category of public entities.

The Board does not track its invoices by type of public entity. As a result, public entities were assigned to general classifications to the extent such classifications could be readily determined. Entities that could not be determined as either public or private were classified as private entities.

FISCAL NOTE
PRIVATE COST

- I. **Department Title:** Department of Public Safety
Division Title: Division of Fire Safety
Chapter Title: Boiler and Pressure Vessel Safety Rules

Rule Number and Title:	11 CSR 40-2.022 Certificates, Inspections and Fees.
Type of Rulemaking:	Amendment

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
3,638 private entities with items requiring certificates, inspections, or miscellaneous services per year (approximate). Specifics regarding objects by type is in the worksheet below.	Entities with boilers and pressure vessels	\$547,549.07 annually

III. WORKSHEET

(Items inspected x Proposed fee) – (Items inspected x Current fee) = Difference

Type of Fee	Items Inspected	Proposed Fee	Total Proposed	Current Fee	Total Current	Difference
CERT – Boiler Certificate	7,340	\$40.00	\$293,600.00	\$20.00	\$146,800.00	\$146,800.00
CERT – Pressure Vessel Certificate	12,485	\$40.00	\$499,400.00	\$20.00	\$249,700.00	\$249,700.00
INSP – Fired Storage Water Heater or Fired Jacketed Steam Kettle – External	296	\$60.00	\$17,760.00	\$18.00	\$5,328.00	\$12,432.00

INSP – Heating Boilers, Water Heaters, Pool Heaters, and Fired Vessels – External	1,179	\$70.00	\$82,530.00	\$25.00	\$29,475.00	\$53,055.00
INSP – Heating Boilers, Water Heaters, Pool Heaters, and Fired Vessels – Internal – 4,000 lbs/hr or less	42	\$85.00	\$3,570.00	\$35.00	\$1,470.00	\$2,100.00
INSP – Heating Boilers, Water Heaters, Pool Heaters, and Fired Vessels – Over 4,000 lbs/hr	12	\$95.00	\$1,140.00	\$45.00	\$540.00	\$600.00
INSP – Power Boilers – External – 4,000 lbs/hr or less	32	\$85.00	\$2,720.00	\$25.00	\$800.00	\$1,920.00
INSP – Power Boilers – External – Over 4,000 lbs or less	21	\$95.00	\$1,995.00	\$35.00	\$735.00	\$1,260.00
INSP – Power Boilers – Internal – 4,000 lbs/hr or less	106	\$125.00	\$13,250.00	\$35.00	\$3,710.00	\$9,540.00
INSP – Power Boilers – 4,000 to 16,000 lbs/hr	95	\$150.00	\$14,250.00	\$60.00	\$5,700.00	\$8,550.00
INSP – Power Boilers – Internal – Over 16,000/hr	10	\$195.00	\$1,950.00	\$72.50	\$725.00	\$1,225.00
INSP – Pressure Vessel Inspection Fee	3	\$50.00	\$150.00	\$16.00	\$48.00	\$102.00
INSP – Pressure Vessels – External – 1,000 cu ft (7,500 gal.) or less	4,445	\$50.00	\$222,250.00	\$16.00	\$71,120.00	\$151,130.00
INSP – Pressure Vessels – External – Over 1,000 cu ft (7,500 gal.) or less	27	\$60.00	\$1,620.00	\$25.00	\$675.00	\$945.00
INSP – Pressure Vessels – Internal Inspection Requiring Entry	2	\$70.00	\$140.00	\$35.00	\$70.00	\$70.00
MISC – Commission – New Issuance	4	\$45.00	\$180.00	\$50.00	\$200.00	(\$20.00)
MISC – Commission – Renewal	70	\$35.00	\$2,450.00	\$25.00	\$1,750.00	\$700.00

MISC – Miscellaneous	3	\$100.00	\$300.00	\$35.00	\$105.00	\$195.00
MISC – Reinspection Fee for Improperly Prepared Objects	96	\$100.00	\$9,600.00	\$35.00	\$3,360.00	\$6,240.00
Subtotal						\$646,544.00
X 84.69 percent (estimated amount attributed to private entities)						
Total						\$547,549.07

Due to rounding, totals may not equal amount shown.

IV. ASSUMPTIONS

To estimate the number of items inspected annually in each class of items, the Board averaged the number of items inspected in fiscal years 2020, 2021, and 2022.

The proposed fee is based on the average fee assessed by all states that regulate boilers and pressure vessels. The Board rounded down all fees to the nearest \$5 or \$10, e.g., if a fee was \$29, then this was rounded down to \$25.

The Board determined that its inspections in Fiscal Year 2022, covering July 1, 2021 to June 30, 2022 were generally representative of its inspections conducted in a given year. It reviewed its invoices from this year and determined that approximately 84.69 percent of fees invoiced were to private entities. That percentage was then multiplied by the total estimated fee change to determine the anticipated change in fees for private entities. The Board also determined that because an entity may have multiple items requiring inspection, there were approximately 3,638 private entities with objects requiring inspections during this year.

The Board does not track its invoices by type of entity. As a result, entities were assigned to classifications to the extent such classifications could be readily determined. Entities that could not be determined as public or private were classified as private entities.

**TITLE 11 – DEPARTMENT OF PUBLIC SAFETY
Division 45 – Missouri Gaming Commission
Chapter 9 – Internal Control System**

PROPOSED AMENDMENT

11 CSR 45-9.123 Minimum Internal Control Standards (MICS) – Chapter W. The commission is amending section (1).

PURPOSE: This amendment updates rule references, updates the adjusted gross receipts formula, and clarifies the accounting for dealer tip tickets on hybrid table systems for consistency with other chapters of the Minimum Internal Control Standards (MICS) that have been amended recently.

(1) The commission shall adopt and publish minimum standards for internal control procedures that in the commission's opinion satisfy 11 CSR 45-9.020, as set forth in *Minimum Internal Control Standards* (MICS) Chapter W – Hybrid Table Game Systems, which is incorporated by reference and made a part of this rule as adopted by the commission on [December 1, 2021] **December 7, 2022**, and published by the Missouri Gaming Commission, 3417 Knipp Dr., PO Box 1847, Jefferson City, MO 65102, and which may be accessed at <http://www.mgc.dps.mo.gov>. This rule does not incorporate any subsequent amendments or additions.

AUTHORITY: sections 313.004 and 313.817, RSMo 2016, and sections 313.800, 313.805, 313.812, and 313.830, RSMo Supp. [2021] 2022. Original rule filed Aug. 26, 2021, effective March 30, 2022. Amended: Filed Dec. 8, 2022.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment via email to MGCPolicy@mgc.dps.mo.gov, or by mail to the Missouri Gaming Commission, Policy Section, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for February 17, 2023, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Dr., Jefferson City, MO.

**TITLE 12 – DEPARTMENT OF REVENUE
Division 10 – Director of Revenue
Chapter 114 – Sales/Use Tax – Constitutional Issues**

PROPOSED AMENDMENT

12 CSR 10-114.100 Determining When a Vendor Has [Sufficient] Substantial Nexus for Use Tax. The director is amending the title, purpose, and sections (1)–(4).

PURPOSE: This rule is being amended to reflect the changes to nexus enacted by Senate Bill 153.

PURPOSE: Chapter 144, RSMo, contains the statutory provisions governing application of use tax. The legal responsibility for paying use tax may fall upon either the vendor or the purchaser. The vendor must register with the department, and collect and remit use tax if it has [sufficient] **substantial** nexus with the state. Un-

less the purchaser pays use tax to a vendor registered with the department to collect use tax, the purchaser must remit use tax to the state. This rule explains when a vendor must register with the department[,] and collect and remit use tax on sales to Missouri purchasers.

(1) In general, an out-of-state vendor must register with the department, and collect and remit use tax when the vendor has [sufficient] **substantial** nexus with Missouri. [Sufficient] **Substantial** nexus exists when the vendor has a physical presence or **economic nexus** in Missouri.

(2) Definition of Terms.

(C) **Economic nexus – selling tangible personal property for delivery into this state, provided the seller's gross receipts from taxable sales from delivery of tangible personal property into this state in the previous calendar year or current calendar year exceeds one hundred thousand dollars (\$100,000).**

[(C)](D) Vendor – an **out-of-state** person who makes sales of tangible personal property for use, storage, or consumption in the state. [A person is not considered a vendor if:]

[1. The person's total gross receipts did not exceed five hundred thousand dollars (\$500,000) in this state, or \$12,500,000 in the entire United States, in the immediately preceding calendar year;

2. The person maintains no place of business in this state; and

3. The person has no selling agents in this state.]

(3) Basic Application of Tax.

(A) A vendor with [sufficient] **substantial** nexus with Missouri must collect and remit use tax on sales, rentals, or leases of tangible personal property purchased for use, storage, or consumption in Missouri if the transaction is not subject to Missouri sales tax. The vendor has [sufficient] **substantial** nexus when the vendor has a physical presence or **economic nexus** in the state.

(B) A vendor does not have [sufficient] **substantial** nexus if the vendor has less than one hundred thousand dollars (\$100,000) in taxable sales and the only contact with the state is delivery of goods by common carrier or mail, advertising in the state through media, or occasionally attending trade shows at which no orders for goods are taken and no sales are made.

(C) Occasional deliveries into the state by the vendor's delivery vehicles with no other contacts do not constitute physical presence to establish [sufficient] **substantial** nexus.

(D) Once [sufficient] **substantial** nexus has been established, the vendor is liable for use tax on all sales of tangible personal property made in the state [whether or not the sales activity related to the property or activity would be sufficient in and of itself to establish physical presence].

[(E) Once nexus has been established, it will continue to exist for a reasonable period of time after the vendor no longer has a physical presence in the state. The department presumes that the vendor has nexus with the state for any sales to Missouri customers made during at least one (1) reporting period after the vendor no longer has physical presence in the state. A vendor registered with the department to collect tax will continue to have nexus until the vendor withdraws its registration.]

[(F)](E) The fact that a vendor has [sufficient] **substantial** nexus does not relieve the purchaser from liability for use tax. The liability for use tax is joint and several for the vendor and purchaser. The purchaser is relieved from the liability for the tax if the purchaser pays a separately stated Missouri tax to a vendor who is registered with the department to collect the tax.

[(G)](F) A taxpayer must allow the department to review the taxpayer's records even if the taxpayer believes that it does not have nexus with the state.

(4) Examples.

(A) A taxpayer is located in Alabama. The taxpayer makes taxable sales of over one hundred thousand dollars (\$100,000) into Missouri. The taxpayer has economic nexus and should register with the department and collect and remit use tax.

[(A)](B) A taxpayer is located in Indiana. The taxpayer makes [substantial] less than one hundred thousand dollars (\$100,000) of taxable sales into Missouri [which are delivered either by common carrier or U.S. mail]. The taxpayer has no other contacts with the state. The taxpayer is not required to collect Missouri tax. Subsequently, the taxpayer acquires a warehouse in Missouri to store inventory for another part of its business. By acquiring the warehouse, the taxpayer has established a physical presence in the state and must collect and remit tax on all sales to Missouri purchasers.

[(B)](C) An out-of-state company hires sales representatives to cover a five- (5-/-) state territory including Missouri. The sales representatives reside in Illinois but regularly travel to Missouri to solicit retail sales. The out-of-state company must collect tax on all sales to Missouri purchasers, regardless whether the sales representatives are employees or independent contractors.

[(C)](D) An out-of-state company that lacks [sufficient] substantial nexus voluntarily registers to collect use tax. The company should collect and remit the appropriate tax to Missouri.

[(D)](E) An out-of-state taxpayer leases machinery to various customers in Missouri. The taxpayer also sells tools and supplies over the Internet to customers in Missouri. The taxpayer must collect use tax on all of its sales and leases in Missouri because its leased property located in Missouri creates [sufficient] substantial nexus with the state.

[(E)](F) Same facts as (4)[(D)](E) above, except the taxpayer has received valid exemption certificates for the leases. The taxpayer must still collect use tax on its sales.

[(F)](G) An out-of-state company accepts an order from a Missouri customer. The[-] out-of-state company orders the merchandise from a wholesaler in Missouri for drop shipment directly to the customer. The out-of-state company must collect sales tax on the transaction because its ownership of the tangible personal property in the state creates [sufficient] substantial nexus.

AUTHORITY: section 144.705, RSMo [2000] 2016. Original rule filed Dec. 1, 2004, effective June 30, 2005. Amended: Filed Dec. 8, 2022.

South Dakota. v. Wayfair, Inc., et al., 138 S.Ct. 2080 (2018). Out-of-state seller's physical presence in taxing state is not necessary for state to require seller to collect and remit its sales tax, overruling Quill and National Bellas Hess.

PUBLIC COST: This proposed amendment will cost the Department of Revenue less than one hundred twenty thousand three hundred dollars (\$120,300) in the aggregate and other political subdivisions at least five hundred dollars (\$500) if they want to collect a use tax.

PRIVATE COST: This proposed amendment may cost private entities less than fifty-five million, eight hundred sixty-five thousand, eight hundred fifty-one dollars (\$55,865,851) in the aggregate from Missouri taxpayers who make purchases online from out-of-state businesses that are now required to collect use tax.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the

*Department of Revenue, 301 W. High Street, Room 670, Jefferson City, MO 65101 or at its website at <https://dor.mo.gov/resources/proposed-rules/>. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**FISCAL NOTE
PUBLIC COST**

- I. Department Title: Department of Revenue**
Division Title: Director of Revenue
Chapter Title: Sales/Use Tax- Constitutional Issues

Rule Number and Name:	12 CSR 10-114.100 Determining When a Vendor Has Sufficient Nexus for Use Tax
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Revenue	\$120,300 in computer upgrades
Political Subdivisions without a Use Tax	Minimum \$500 per political subdivision that has an election. Up to \$215,000 if all the cities and counties without one decide to hold an election
Political Subdivisions with a Use Tax	\$0

III. WORKSHEET**IV. ASSUMPTIONS**

Economic nexus determines if a business is required to file sales or use tax. Only businesses that have a physical presence in Missouri are defined as having economic nexus with Missouri and are required to collect and remit sales tax. SB 153 adopted in 2021 expanded the definition of economic nexus to include businesses that conduct more than \$100,000 in taxable sales in Missouri regardless of physical location, as having nexus with Missouri. These businesses will now be required to collect and remit use tax.

This rule is being amended to comply with the provisions of SB 153.

In order to aid with the collection and remittance of the state use tax by businesses the Department of Revenue (DOR) was to provide several systems/services per SB 153. Those systems costs:

Statutes required a central registration system to help get businesses and marketplace facilitators to get registered for the collection and remittance of the use tax (144.608). This central registration system allows businesses to register and to update their manufacturing exemptions. The Department has an income tax system for handling many of our business processes. Our current vendor for the income tax system is providing the upgrades needed to expand the current registration system for the marketplace facilitators. These upgrades are costing approximately \$65,000.

Statutes required DOR to provide a database of boundary changes for all taxing jurisdictions (144.637). DOR was able to purchase a rate and boundary file from a company for approximately \$55,300.

Statutes required DOR to provide a tax matrix (144.638) of products. This was done by in-house staff and therefore did not cost us anything.

Additionally, when the state sales and use taxes are collected local political subdivisions (cities and counties) can choose to adopt a sales and use tax. SB 153 allowed a city with a use tax to collect a use tax from these businesses now having nexus with Missouri. For those without a use tax already they would have to adopt by vote of their citizens to have one. DOR records as of December 2022, show that:

75 of the 114 counties in the state have a use tax
277 of the 682 cities in the state have a use tax
347 of the 769 districts in the state have a use tax. (Though only 464 of the 769 districts are even allowed to have a use tax).

At least 40 of these political subdivisions have adopted a use tax since SB 153 was signed into law. DOR is not able to predict if any other political subdivisions may choose to adopt a use tax. Should a local political subdivision decide they want to collect and receive the use tax, they must take the use tax to the vote of their citizens.

The Department notes that the cost of holding an election varies annually, based on the number of issues on the ballot and the number of political subdivisions with issues. The minimum cost of an election would meet the \$500 threshold for this fiscal notes. Therefore if the remaining 25 counties and 405 cities chose to have an election it would cost at least \$215,000.

For those political subdivisions that already had a use tax adopted, no additional action is necessary for the collection of the tax.

**FISCAL NOTE
PRIVATE COST**

- I. Department Title: Department of Revenue**
Division Title: Director of Revenue
Chapter Title: Sales/Use Tax- Constitutional Issue

Rule Number and Title:	12 CSR 10-114.100 Determining When a Vendor Has Sufficient Nexus for Use Tax
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
Unknown out of 4,902,168 Missourians over the age of 18	Those who purchase on-line from out-of-state businesses	\$55,865,851 state use tax & \$20,528,688 local use tax paid and remitted to DOR
Unknown	Marketplace Facilitator	\$0 administrative costs
Unknown	Businesses that sell direct	\$25 per hour per business, exceeding \$500 in first year administrative cost

III. WORKSHEET**IV. ASSUMPTIONS**

Prior to the passage of SB 153 in 2021, when a Missouri resident went to their local store they paid sales tax on all their purchases. The store being physically present in Missouri would charge the customer the required state and local sales tax amount, collect the tax from the customer and remit the tax collected to the state. This tax was sales tax. This process is not changed under this proposal.

Before SB 153, when the same resident bought the same items on-line, directly from a business not located in Missouri, they were not charged sales tax on those purchases by the business. However, the Missouri resident was required to calculate the tax on the purchase and remit that tax to DOR. This tax is use tax.

SB 153 made changes to the definition of economic nexus and who would be responsible for the collecting and remitting use tax. No longer would the customer pay and remit to DOR the tax owed from the purchases made from an out-of-state businesses, but the business would be required to collect the tax from the customer and remit it to DOR.

Changing who is to remit the tax to DOR is not considered a new tax. Therefore, Missourians and the Department will not be impacted by this change.

It should be noted that the Missouri resident was only required to remit the use tax to DOR when they reached purchases totaling over \$2,000 in sales. So as long as they purchased less than \$2,000 in a year, they did not owe the tax. However, SB 153 now requires the collection of the tax by the business. Those Missourians that made purchases under the \$2,000 will be impacted by this proposal.

Prior to passage of SB 153, most businesses did not sell directly to customers. Most businesses provided their products to a “marketplace facilitator” (third party) to sell items on their behalf. That marketplace facilitator did not collect taxes from the customers or their vendors and did not remit taxes to Missouri unless they had a physical presence in Missouri (like a warehouse or distribution center). If a facility was located in Missouri then the company owed sales tax on all purchases. SB 153 required all marketplace facilitators and businesses that sell direct to customers, and that have more than \$100,000 in sales in Missouri and who are not located in Missouri, to collect and remit use tax on all purchases made by Missouri residents.

Using information from the U.S. Government and Accountability Office, information on e-commerce market share, studies on digital downloads and information from the U.S. Census Bureau it was estimated that SB 153 would increase total state revenue by \$55,865,851 in year 1 and local revenue could increase by as much as \$20,528,688. These amounts were expected to increase annually, based on increase in on-line sales.

The local rate was calculated using a weighted average of all local political subdivision with a current sales and/or use tax. DOR notes there are 75 counties, 277 cities, and 347 districts that have a use tax in Missouri. The amount actually projected to be collected will be based on the actual amount purchased on-line with districts that have a use tax.

SB 153 provided a framework for marketplace facilitators to collect taxes from the customers and remit to the state. It requires they separate the amount collected for their vendors from their own company’s sales. While it may appear this requirement could potentially require additional fiscal impact for its administration, it should be noted that prior to the passage of SB 153, Missouri was the only state that had not adopted the economic nexus rule. Based on testimony on SB 153 and the filing of tax returns with DOR, some of the marketplace facilitators were voluntarily collecting and remitting the tax as it was less administratively burdensome to charge all customers than separate out the Missouri residents. Therefore DOR assumes this separate reporting requirement would not require additional resources on a marketplace facilitator’s part to administer.

Businesses that sold directly to customers could be impacted by this proposal should they have over \$100,000 in taxable sales. They would now be required to collect the use tax from their customers and remit to the state. Given Missouri was the last state to pass the economic nexus bill it is assumed that many of the businesses were voluntarily collecting and remitting the tax also. For those that were not, they may need to hire an accountant to help set up their collection system. The average Accountant in Missouri makes approximately \$25 per hour. Therefore if only 20 businesses hire an Accountant for at least one hour to help with their tax administration this proposal would cost over \$500.

Research estimates there are over 6 million businesses selling products in the United States via the internet and they estimate anywhere from 200-400 million U.S. shoppers each month visit at least one of the top 10 marketplace facilitator websites. Given that several of the larger marketplace facilitator businesses have located warehouses or distribution centers in Missouri and therefore owe sales tax, it is difficult to estimate the amount of use tax that will be collected in the future.

**TITLE 13 – DEPARTMENT OF SOCIAL SERVICES
Division 35 – Children’s Division
Chapter 60 – Licensing of Foster Family Homes**

PROPOSED RULE

13 CSR 35-60.075 Treatment Foster Care

PURPOSE: This rule establishes conditions for providing foster family homes for children with significant emotional or behavioral needs, who can reside in a family setting with the benefit of intensive and individualized therapeutic intervention.

(1) Definitions. For the purpose of this regulation, the following terms shall be defined as follows:

(A) “Treatment foster care” or “TFC” – A specialized program for children between the ages of six (6) and twenty (20) with significant emotional or behavioral needs who, with intensive and individualized therapeutic intervention, can remain in a family setting and achieve positive growth and development; and

(B) “Treatment foster home” – A home where the child’s caregiver(s) have fulfilled the requirements to provide treatment foster care and are responsible for providing intensive, individualized therapeutic interventions and daily care for one (1) to two (2) children with significant medical, developmental, emotional, or behavioral needs.

(2) Treatment Foster Care.

(A) TFC exists to serve children whose special needs are so severe that they are at risk of being placed in restrictive congregate care settings such as hospitals, psychiatric centers, correctional facilities, or residential treatment programs. TFC services are provided by agencies contracted with the division to develop and oversee treatment foster homes. Each treatment foster home is assigned a TFC worker who is primarily responsible for the development of treatment plans. The TFC worker trains and supports the TFC parent(s) to implement key elements of treatment in the context of family and community life while promoting the goals of permanency planning for the child. The TFC worker also provides support and consultation to children enrolled in the TFC and their families. The TFC worker collaborates with other team members and coordinates activities to ensure children and families receive needed services according to their treatment plan. The TFC agency provides, at a minimum, weekly consultation to the TFC home and in-person contact every two (2) weeks.

(3) Process for Determining a Child’s Eligibility for Treatment Foster Care.

(A) A child’s eligibility for treatment foster care is identified through one (1) of the following triggering events:

1. The selection/screening team for the division’s Youth with Elevated Needs Program has recommended treatment foster care;

2. An independent assessor has recommended treatment foster care;

3. The child’s family support team has recommended treatment foster care; or

4. A clinician, such as a primary care physician or psychologist, who has examined or evaluated the child, has recommended treatment foster care.

(B) A division designee shall review the recommendation from one (1) of the parties above, using an agency-approved assessment tool, and supporting documentation such as the child’s current mental health evaluations, medical reports, therapy/counseling reports, and school records.

(C) The division designee shall evaluate the child’s condition and make a determination if treatment foster care is medically necessary, appropriate for the child, and the least restrictive placement in a community-based family setting.

(D) The division designee will determine an initial treatment period of up to nine months in duration. The initial treatment period may be extended upon review and approval by division designee.

(E) The division designee shall have the final authority to determine if a child qualifies for treatment foster care and, if so, when a child’s placement in a treatment foster care home will end.

(4) Qualifications of Foster Parents in Treatment Foster Care Homes.

(A) Qualifications. To be eligible to become TFC foster parents, applicants must meet one (1) of the following criteria:

1. Have one (1) year full-time experience in the care of a child, which may include a combination of any of the following:

A. Experience as a licensed foster parent in good standing;

B. Professional experience in the care/treatment of a child;

C. Volunteer experience in the care/treatment of children; and

D. Experience providing care for a child with special needs; or

2. Have graduated from a four- (4-) year college with a degree in child and family development, special education, psychology, sociology, or another closely related area; or

3. The division may allow an exception to be made to the eligibility requirements set forth above if the applicant is a relative of the foster child.

(5) Training Requirements.

(A) Pre-Service Training. Applicants must complete the following pre-service training requirements to qualify as a foster parent in a treatment foster care home:

1. Successfully complete a competency based pre-service training approved by the division as provided in 13 CSR 35-60.030(5);

2. Complete a minimum of twenty-seven (27) hours of specialized foster care training approved by the division that includes the following areas:

A. Effective communication and relationship building techniques;

B. Positive reinforcement, discipline, and behavior management techniques;

C. Crisis management and de-escalation techniques;

D. Self-harming and suicide intervention and management;

E. Running behaviors, prevention and management;

F. Cultural competence and culturally responsive services; and

3. Relative caregivers who wish to become TFC foster parents will have up to ninety (90) days to complete nine (9) hours of pre-service relative training and will have up to six (6) months from the date on which the child is approved for relative TFC placement to complete the mandatory twenty-seven (27) hours of pre-service training set forth in paragraph (5)(A)2. above.

(B) In-Service Training.

1. In addition to the in-service training required of all foster parents pursuant to 13 CSR 35-60.030, TFC foster parents must complete ten (10) additional hours of annual in-service training relating to the rehabilitative treatment and care of the foster child. As part of this ongoing training, the foster

parent shall meet performance-based criteria as part of a professional family development plan.

2. The division may allow an exception to be made to the ten- (10-) hour annual training requirement if the primary caretaker in a treatment foster care home is a relative of the foster child.

(6) Competency Requirements.

(A) In order to be licensed as TFC foster parents, applicants must demonstrate competency in the following subject matter areas, which will be covered in the pre-service and in-service trainings:

1. Understanding trauma, grief, loss, and separation and the impact on child development;
2. Promoting successful transition into the family and the community;
3. Using trauma-informed strategies to meet the needs of children with exceptional care needs;
4. Assessing crisis situations and utilizing proper crisis intervention and regulation;
5. Recognizing and implementing positive approaches to challenging behaviors;
6. Understanding the importance of and advocating for permanency, family, and cultural connections; and
7. Understanding the importance of attachment, relationship building, connections, and creating a support system.

(7) Treatment Foster Care Parent Responsibilities. Foster parents in treatment foster care homes shall be responsible for the following duties:

(A) Complying with all foster home licensing requirements set forth in this chapter;

(B) Providing therapeutic interventions in the home and acting as a liaison with clinical personnel;

(C) Assisting the child in understanding treatment goals, objectives, and interventions, and helping the child to achieve success;

(D) Complying with all requests from the division for visits, training, and meeting participation, including participation in treatment plan meetings and treatment foster care support group meetings;

(E) Ensuring routine transportation for each foster child, including transportation for the child to/from treatment team meetings, court appearances, medical, and counseling appointments; and

(F) Working closely with all necessary parties, including the child's parents, visiting resources, and case managers to achieve permanency for the child, in accordance with the treatment plan.

AUTHORITY: section 207.020, RSMo 2016. Original rule filed Dec. 15, 2022.

PUBLIC COST: The proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: The proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public

hearing is scheduled.

TITLE 13 – DEPARTMENT OF SOCIAL SERVICES
Division 70 – MO HealthNet Division
Chapter 3 – Conditions of Provider Participation,
Reimbursement, and Procedure of General
Applicability

PROPOSED AMENDMENT

13 CSR 70-3.230 Payment Policy for Provider Preventable Conditions. The department is amending section (2) of the rule.

PURPOSE: This amendment updates the list of Medicare Hospital Acquired Conditions, which are incorporated by reference.

(2) Payment to hospitals or ambulatory surgical centers enrolled as MO HealthNet providers for care related only to the treatment of the consequences of a HCAC will be denied or recovered by the MO HealthNet Division when the HCAC is determined to have occurred during an inpatient hospital stay and would otherwise result in an increase in payment. HCAC conditions are identified in the list of Medicare Hospital Acquired Conditions, which is incorporated by reference and made part of this rule as published by [7]the Centers for Medicare & Medicaid Services (CMS) at their website at https://www.cms.gov/Medicare/Medicare-Fee-for-Service-Payment/HospitalAcqCond/icd10_hacs.html, [August 11, 2021] **August 9, 2022**. This rule does not incorporate any subsequent amendments or additions published by CMS after [August 11, 2021] **August 9, 2022**.

AUTHORITY: sections 208.153, 208.201, and 660.017, RSMo 2016. Material in this rule originally filed as 13 CSR 70-15.200. Original rule filed Nov. 30, 2011, effective June 30, 2012. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Dec. 15, 2022.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

TITLE 13 – DEPARTMENT OF SOCIAL SERVICES
Division 70 – MO HealthNet Division
Chapter 20 – Pharmacy Program

PROPOSED RULE

13 CSR 70-20.042 Automatic Refill Program and Medication Synchronization Program

PURPOSE: This rule establishes the regulatory basis to prohibit automatic refill of prescriptions by providers for MO HealthNet

participants. This rule also establishes policies for Medication Synchronization Programs in the MO HealthNet Pharmacy program.

(1) Definitions.

(A) Automatic Refill Program. Providers automatically refill prescribed medications, devices, or supplies at regular intervals without an explicit request from the participant, or the participant's responsible party, for each refill.

(B) Medication Synchronization Program. Designed to allow a participant to receive all maintenance medications on the same day. Before refilling any medications, the provider contacts the participant or the participant's responsible party to detect any new, discontinued, or changed medications. The provider only refills those medications requested by the participant or the participant's responsible party and coordinates pickup or delivery. Maintenance medications shall be as defined in 13 CSR 70-20.060.

(2) Automatic Refill Program.

(A) MO HealthNet does not allow automatic refills or automatic shipments of medications, devices, or supplies. MO HealthNet does not pay for any prescription without an explicit request from a participant or the participant's responsible party, such as a caregiver, for each refilling event. Participants and providers cannot waive the explicit refill request requirement and enroll in an automatic refill program.

(B) A nurse or other authorized agent of the facility may initiate a request for a refill for a participant residing in a skilled nursing facility, group home, or assisted living arrangement.

(C) Any prescription filled without a request from a participant or the participant's responsible party may be subject to recoupment. Any provider who pursues an automatic refill policy may be subject to audit, claim recovery, suspension, or termination of their provider agreement.

(3) Medication Synchronization Program.

(A) Documentation Required. The provider shall have written policies and procedures describing the Medication Synchronization Program which shall set forth, at a minimum, how the provider will comply with this section. The provider's written policies and procedures for the medication synchronization program shall be provided to the Department of Social Services upon request. Providers that do not provide the written policies and procedures within three (3) business days of the department's request may be subject to recoupment of any payments made to the provider by MO HealthNet for medications filled through the provider's medication synchronization program.

(B) Participant Enrollment. Before a participant enrolls, and annually thereafter, the provider shall provide a written or electronic notice summarizing the program to the participant or participant's responsible party. Such notice shall include, at a minimum, instructions about how to withdraw a medication from refill through the program or to disenroll entirely from the program. The participant or participant's responsible party must give the provider informed consent prior to enrolling in the Medication Synchronization Program, and annually thereafter.

(C) Products Allowed. Medication Synchronization Program shall only include non-controlled substance maintenance medications and are not allowed to include controlled substances (CII–CV), medications for acute treatment, or medications used on an as-needed basis.

(D) Medication Synchronization Program Contact. Providers with a medication synchronization program must contact the participant or the participant's responsible party before refilling any medication and confirm each medication to be

refilled to ensure an accurate medication list. Medication Synchronization Program providers which generate or contribute to fraud, waste, or abuse will be subject to potential recoupment of claims and potential sanction of the provider.

(E) Record Keeping. The pharmacy shall keep a copy of the informed consent to enroll and annual informed consent to remain in the Medication Synchronization Program on file for five (5) years from the date of informed consent. Records of the medication synchronization program contact with the participant or the participant's responsible party for the purposes of refilling medications must be kept for audit purposes, including the date and time of contact for five (5) years from the date of dispensing.

(F) Penalties. Any prescriptions filled without a request from a participant or the participant's responsible party may be subject to recoupment. Any provider who pursues a policy that includes refilling prescriptions on a regular date or any type of cycle fill, without meeting the specifications herein, may be subject to audit, claim recovery, or possible suspension or termination of their provider agreement.

AUTHORITY: sections 208.153, 208.201, and 660.017, RSMo 2016. Original rule filed Dec. 15, 2022.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Social Services, Division of Legal Services-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**TITLE 15 – ELECTED OFFICIALS
Division 30 – Secretary of State
Chapter 51 – Broker-Dealers, Agents, Investment
Advisers, and Investment Adviser Representatives**

PROPOSED AMENDMENT

15 CSR 30-51.170 Dishonest or Unethical Business Practices by Broker-Dealers and Agents. The secretary of state is amending section (3).

PURPOSE: This amendment adds provisions regarding disclosure when a broker-dealer or its agent incorporates a social objective or non-financial objective into certain aspects of their customer business.

(3) [The conduct set forth above is not inclusive. Engaging in other conduct such as nondisclosure or incomplete disclosure of material fact, or other deceptive practices are dishonest or unethical business practices.] Failing to disclose to any customer or prospective customer the following material fact:

(A) The broker-dealer or its agent incorporates a social objective or non-financial objective into its discretionary investment decisions to buy or sell a security or commodity for its customers; and/or its recommendations or solicitations to its customers for the purchase or sale of a security or commodity;

(B) As used in this section, “incorporates a social objective” means the consideration of socially responsible criteria in the investment or commitment of customer funds for the purpose of obtaining an effect other than a maximized financial return to the customer. “Socially responsible criteria” includes any criterion that is intended to further, or is branded, advertised, or otherwise publicly described by the broker-dealer or its agent as furthering, any of the following:

1. International, domestic, or industry agreements relating to environmental or social goals;
2. Corporate governance structures based on social characteristics; or
3. Social or environmental goals; and

(C) The disclosure obligation of subsection (3)(A) is satisfied by providing prior disclosure and obtaining written consent and acknowledgment from the customer. Written consent shall be obtained –

1. At the initial opening of the customer’s account; and
2. Prior to effecting any discretionary investment and/or providing a recommendation or solicitation regarding the purchase or sale of a security or commodity in a customer’s account; and

(D) Written consent required in subsection (3)(C) shall contain language that is substantially similar to the following:

I [NAME OF CUSTOMER] consent to my broker-dealer and/or its agent incorporating a social objective or non-financial objective into the discretionary investment decisions they make for my account and/or the recommendations/solicitations they make to me for the purchase or sale of securities and/or commodities. Also, I acknowledge and understand that incorporating a social objective or non-financial objective into investment decisions and recommendations/solicitations will result in investments and recommendations/solicitations that are not solely focused on maximizing a financial return for me or my account.

(4) The conduct set forth above is not inclusive. Engaging in other conduct such as nondisclosure or incomplete disclosure of material fact, or other deceptive practices are dishonest or unethical business practices.

AUTHORITY: section 409.6-605, RSMo 2016. Original rule filed June 25, 1968, effective Aug. 1, 1968. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Dec. 15, 2022.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of the Missouri Secretary of State, PO Box 1767, Jefferson City, MO 65102 or by email to comments@sos.mo.gov with the proposed amendment number (i.e., 15 CSR 30-51.170) in the subject line. To be considered, all comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

TITLE 15 – ELECTED OFFICIALS
Division 30 – Secretary of State
Chapter 51 – Broker-Dealers, Agents, Investment
Advisers, and Investment Adviser Representatives

PROPOSED AMENDMENT

15 CSR 30-51.172 Dishonest or Unethical Business Practices by Investment Advisers and Investment Adviser Representatives. The secretary of state is amending section (3).

PURPOSE: This amendment adds provisions regarding disclosure when an investment adviser or its representative incorporates a social objective or non-financial objective into certain aspects of their advisory business.

(3) [The conduct set forth above is not inclusive. Engaging in other conduct such as nondisclosure or incomplete disclosure of material fact, or other deceptive practices are dishonest or unethical business practices.] Failing to disclose to any client or prospective client the following material fact:

(A) The adviser or its representative incorporates a social objective or non-financial objective into its recommendations and solicitations to its clients for the purchase or sale of a security or commodity; and/or the selection by the adviser or its representative (or recommendation or advice by the adviser or its representative to its clients regarding the selection) of a third-party manager or sub-adviser to manage the investments in its clients’ accounts;

(B) As used in this section, “incorporates a social objective” means the consideration of socially responsible criteria in the investment or commitment of client funds for the purpose of obtaining an effect other than a maximized financial return to the client. “Socially responsible criteria” includes any criterion that is intended to further, or is branded, advertised, or otherwise publicly described by the adviser or its representative as furthering, any of the following:

1. International, domestic, or industry agreements relating to environmental or social goals;
2. Corporate governance structures based on social characteristics; or
3. Social or environmental goals;

(C) The disclosure obligation of subsection (3)(A) is satisfied by providing prior disclosure and obtaining written consent and acknowledgment from the client. Written consent shall be obtained –

1. At the establishment of the advisory relationship; and
2. Prior to effecting any discretionary investment or providing any recommendation or advice regarding the purchase or sale of a security or commodity in a client’s account, or selecting (or recommending or advising on the selection) of a third-party manager or sub-adviser to manage the investments in a client’s account; and

(D) Written consent required in subsection (3)(C) shall contain language that is substantially similar to the following:

I [NAME OF CLIENT] consent to my adviser or its representative incorporating a social objective or non-financial objective into any discretionary investment decision they make for my account; any recommendation or advice they make to me for the purchase or sale of a security or commodity; or the selection they make (or recommendation or advice they make to me regarding the selection) of a third-party manager or sub-adviser

to manage the investments in my account. Also, I acknowledge and understand that incorporating a social objective or non-financial objective into investment decisions, recommendations/advice, and/or the selection of a third-party manager or sub-adviser to manage the investments in my account will result in investments and recommendations/advice that are not solely focused on maximizing a financial return for me or my account.

(4) The conduct set forth above is not inclusive. Engaging in other conduct such as nondisclosure or incomplete disclosure of material fact, or other deceptive practices are dishonest or unethical business practices.

AUTHORITY: section [409.600] 409.6-605, RSMo 2016[, and section 409.605, RSMo Supp. 2021]. Original rule filed April 8, 2004, effective Oct. 30, 2004. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Dec. 15, 2022.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of the Missouri Secretary of State, PO Box 1767, Jefferson City, MO 65102 or by email to comments@sos.mo.gov with the proposed amendment number (i.e., 15 CSR 30-51.172) in the subject line. To be considered, all comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE

Division 2234 – Board of Private Investigator and Private Fire Investigator Examiners Chapter 3 – Private Investigator Agency and Private Fire Investigator Agency

PROPOSED AMENDMENT

20 CSR 2234-3.010 Application for Licensure – Agency. The board is adding a new section (8).

PURPOSE: This amendment will require agencies to report to the board within ten (10) days that an agency employee is no longer employed.

(8) If an agency investigator employee separates from employment with the agency, the agency shall inform the board within ten (10) days that the employee is no longer employed by the agency including the last day of employment on a form provided by the board. The form may be obtained on the board's website.

AUTHORITY: sections 324.1102, 324.1114, and 324.1132, RSMo 2016, and sections 324.1108, 324.1110, and 324.1112, RSMo Supp. [2020] 2022. Original rule filed June 26, 2009, effective Jan. 30, 2010. Amended: Filed Sept. 13, 2013, effective March 30, 2014. Amended: Filed Sept. 29, 2020, effective March 30, 2021. Amended: Filed Dec. 13, 2022.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Board of Private Investigator and Private Fire Investigator Examiners, Pam Groose, Executive Director, PO Box 1335, Jefferson City, MO 65102-1335, by fax at (573) 526-0661, or via email at pi@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE

Division 2234 – Board of Private Investigator and Private Fire Investigator Examiners Chapter 3 – Private Investigator Agency and Private Fire Investigator Agency

PROPOSED AMENDMENT

20 CSR 2234-3.040 Application for Licensure – Agency Employee. The board is adding new sections (3) and (4).

PURPOSE: This amendment outlines the responsibility of a terminated agency employee to return their evidence of licensure to their employer within five (5) days of employment termination. The rule further clarifies a new application for licensure needs to be submitted if the agency employee is seeking to work for a different agency.

(3) Upon termination from the agency, the agency investigator employee shall return the license and pocket card to the agency within five (5) days.

(4) A new application for licensure must be submitted when the agency investigator employee seeks to be employed by a different agency.

AUTHORITY: sections 324.1102 and 324.1116, RSMo 2016, and section 324.1118, RSMo Supp. [2020] 2022. Original rule filed June 26, 2009, effective Jan. 30, 2010. Amended: Filed Sept. 13, 2013, effective March 30, 2014. Amended: Filed Sept. 29, 2020, effective March 30, 2021. Amended: Filed Dec. 13, 2022.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Board of Private Investigator and Private Fire Investigator Examiners, Pam Groose, Executive Director, PO Box 1335, Jefferson City, MO 65102-1335, by fax at (573) 526-0661, or via email at pi@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE****Division 2235 – State Committee of Psychologists
Chapter 5 – Rules of Conduct****PROPOSED AMENDMENT**

20 CSR 2235-5.030 Ethical Rules of Conduct. The State Committee of Psychologists is amending subsections (9)(C), (10)(A), (12)(A), and (14)(D).

PURPOSE: These additions and amendments are to provide clarity in respect to each topic.

(9) Protecting Confidentiality of Clients.

(C) Disclosure of ~~[C]~~confidential ~~[I]~~information. The psychologist shall disclose confidential information to others only with the informed written consent of the client with the expectations as set forth here.

1. Disclosure without informed written consent. The psychologist may disclose confidential information without the informed written consent of the client when the psychologist judges that disclosure is necessary to protect against a clear and substantial risk of imminent serious harm being inflicted by the client on the client or on another person. In that case, the psychologist shall disclose the confidential information only to appropriate professional workers, public authorities, the potential victim, the family, or both, of the client. When the client is an organization, disclosure shall be made only after the psychologist has made a reasonable and unsuccessful attempt to have the problems corrected within the organization.

2. Use of interpreters. Psychologists using the services of an interpreter shall obtain informed consent from the client/patient to use that interpreter, shall ensure that confidentiality of test results and test security are maintained, and include in recommendation reports and diagnostic or evaluative statements, including forensic testimony, discussion, or any limitations on the data obtained.

3. Legally dependent clients. At the beginning of a professional relationship, to the extent that the client can understand, the psychologist shall inform a client who is below the age of majority or who has a legal guardian of the limit the law imposes on the right of confidentiality with respect to his/her communications with the psychologist.

4. Multiple clients. When service is rendered to more than one (1) client during a joint session, for example to a family or a couple or a parent and child or a group, the psychologist shall, at the beginning of the professional relationship, clarify to all parties the manner in which confidentiality will be handled. All parties shall be given opportunity to discuss and to accept whatever limitations of confidentiality will be adhered in the situation.

5. Release of confidential information. The psychologist may release confidential information upon court order, as defined in section (2) of this rule, or to conform with state or federal law or regulation.

6. Abuse reports of abuse of children and vulnerable adults. The psychologist shall be familiar with any relevant law concerning the reporting of abuse of children and vulnerable adults, and shall comply with the law.

7. Discussion of client information among professionals. When rendering psychological services as part of a team or when interacting with other appropriate professionals concerning the welfare of the client, the psychologist may share confidential information about the client provided the psychologist takes reasonable steps to assure that all persons receiving the information are informed about the

confidential nature of the information and abide by the rules of confidentiality.

8. Disclosure of client information to the committee. When requested by the committee, the psychologist shall release all patient records responsive to the request to the State Committee of Psychologists. The committee will maintain such records as closed and confidential records pursuant to sections 324.001.8 and 324.017, RSMo.

(10) Integrity and Representation of Title and Services.

(A) Display of ~~[L]~~license. The psychologist shall display ~~[prominently on the premises of the professional practice the psychologist's]~~ the current Missouri license to practice psychology **at the primary work environment or show the license upon request.**

(12) Assessment Procedures.

(A) Competent ~~[U]~~use of ~~[A]~~assessment ~~[T]~~techniques. The psychologist shall use, administer, and interpret psychological assessment techniques competently and maintain current knowledge about research developments and revisions concerning the techniques that are used. **The psychologist shall incorporate and use the most recent version of an examination within one (1) year of its publication. The psychologist may, based upon their professional judgment, utilize a previous version of an examination if it will provide a more thorough and diagnostically appropriate result.**

(14) Aiding Unauthorized Practice.

(D) Providing ~~[S]~~supervision. The psychologist shall exercise appropriate supervision over supervisees, as set forth in the regulations of the committee.

1. In academic and supervisory relationships, psychologists establish timely and specific processes for providing feedback to students and supervisees. Information regarding the process is provided to the student and supervisees at the beginning of supervision.

2. Psychologists evaluate students and supervisees on the basis of their actual performance on relevant and established program requirements.

3. Psychologists licensed in Missouri may supervise individuals pursuing Missouri licensure in all behavioral health disciplines in Chapter 337, RSMo, as well as students, trainees, and other individuals seeking professional guidance but not actively pursuing licensure. Supervision provided pursuant to this subdivision shall comply with the requirements for the respective profession as well as the statutory and regulatory requirements of licensed psychologists. Psychologists shall clearly identify all such supervisees and fully document all supervision activities.

AUTHORITY: sections 337.030[, RSMo Supp. 2005] and 337.050.9., RSMo [2000] Supp. 2022. This rule originally filed as 4 CSR 235-5.030. Original rule filed July 2, 1991, effective Feb. 6, 1992. Amended: Filed Nov. 13, 1992, effective July 8, 1993. Moved to 20 CSR 2235-5.030, effective Aug. 28, 2006. Rescinded and re-adopted: Filed July 17, 2006, effective Feb. 28, 2007. Amended: Filed Dec. 12, 2022.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Committee of Psychologists, PO Box 1335, Jefferson

City, MO 65102, by facsimile at (573) 526-0661, or via email at scop@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE**

**Division 2270 – Missouri Veterinary Medical Board
Chapter 4 – Minimum Standards**

PROPOSED AMENDMENT

20 CSR 2270-4.050 Minimum Standards for Continuing Education for Veterinary Technicians. The board is amending subsection (9)(D).

PURPOSE: This amendment adds another acceptable provider to obtain continuing education for veterinary technicians.

(9) Workshops, seminars, and prepared materials on scientific and non-scientific subjects relating to veterinary medicine approved by or sponsored by the following organizations are approved:

(D) Any state or province veterinary medical association **or veterinary technician association**;

AUTHORITY: sections 41.946, 340.210, 340.258, and 340.324, RSMo 2016. This rule originally filed as 4 CSR 270-4.050. Original rule filed Nov. 4, 1992, effective July 8, 1993. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Dec. 6, 2022.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Veterinary Medical Board, PO Box 633, Jefferson City, MO 65102, via facsimile at (573) 526-3856, or via email at vets@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order or rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted that has been changed from the text contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments that are opposed in whole or in part to the proposed rule. The ninety-(90-) day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 7 – Wildlife Code: Hunting: Seasons,
Methods, Limits**

ORDER OF RULEMAKING

By authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-7.455 is amended.

This rule establishes the turkey hunting season, limits, and provisions for hunting and is exempted by sections 536.021, RSMo from the requirements for filing as a proposed amendment.

The Department of Conservation amended 3 CSR 10-7.455 by establishing turkey hunting seasons.

3 CSR 10-7.455 Turkeys: Seasons, Methods, Limits

(1) Turkeys may be pursued, taken, killed, possessed, or transported only as permitted in this rule.

(A) Spring Season. A person possessing the prescribed turkey hunting permit may take two (2) male turkeys or turkeys with visible beards from April 17 through May 7, 2023; provided only one (1) turkey may be taken before April 24, 2023, and only one (1) turkey may be taken per day. A turkey taken during a managed hunt will count towards an individual's spring season bag limit. Turkeys may be taken only by shotgun, with shot no larger than No. 4, atlatl, crossbow, or bow; without the use

of dogs, bait, electronic calls, or live decoys; from one-half (1/2) hour before sunrise to 1:00 p.m. Central Daylight Time (CDT). Possession of electronic calls or shotshells loaded with shot larger than No. 4 is prohibited while hunting turkeys.

(B) Fall Firearms Season. Fall season annually will be October 1 through October 31. A person possessing the prescribed turkey hunting permit may take two (2) turkeys of either sex during the season. Turkeys may be taken only by shotgun, with shot no larger than No. 4, atlatl, bow, or crossbow; without the use of dogs, bait, electronic calls, or live decoys; from one-half (1/2) hour before sunrise to sunset in all counties except: Dunklin, McDonald, Mississippi, New Madrid, Newton, Pemiscot, and Scott. Possession of electronic calls or shotshells loaded with shot larger than No. 4 is prohibited while hunting turkeys. A person, while in the act of pursuing or hunting turkey on a fall firearms permit, shall not have both a firearm and an atlatl, bow, or crossbow on his/her person except any person may carry concealable firearms, as defined in Chapter 571, RSMo, on or about his/her person while hunting. Firearms possessed under this exception may not be used to take wildlife while hunting with an atlatl, bow, or crossbow.

(C) Fall Archery Season. A person possessing the prescribed archer's hunting permit may take two (2) turkeys of either sex from September 15 through January 15, excluding the dates of the November portion of the firearms deer season. Turkeys may be taken only by atlatls, bows, and crossbows; without the use of dogs, bait, electronic calls, or live decoys; from one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset. Possession of electronic calls is prohibited while hunting turkeys. An archer, while in the act of pursuing or hunting turkey on an archer's permit, shall not have a firearm on his/her person except any person may carry concealable firearms, as defined in Chapter 571, RSMo, on or about his/her person while hunting. Firearms possessed under this exception may not be used to take wildlife while hunting with an atlatl, bow, or crossbow.

(D) Youth Spring Season. The two- (2-) day youth spring season will be from April 1 through April 2, 2023. Any person possessing the prescribed turkey hunting permit and who is at least six (6) but not older than fifteen (15) years of age on the opening day of the youth spring season may take only one (1) male turkey or turkey with visible beard during the youth spring season. A turkey harvested during the youth spring season will count towards an individual's spring season bag limit; individuals hunting under the prescribed turkey hunting permit may not harvest a second bird before April 24, 2023. Turkeys may be taken only by shotgun with shot no larger than No. 4, atlatl, crossbow, or bow; without the use of dogs, bait, electronic calls, or live decoys; from one-half (1/2) hour before sunrise to sunset. Possession of electronic calls or shotshells loaded with shot larger than No. 4 is prohibited while hunting turkeys.

This amendment was filed December 7, 2022, becomes effective **December 31, 2022**.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 9 – Wildlife Code: Confined Wildlife:
Privileges, Permits, Standards**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission

amends a rule as follows:

**3 CSR 10-9.354 Privileges of Class III Wildlife Breeders
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 17, 2022 (47 MoReg 1501-1503). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Conservation Commission received comments from five (5) individuals and one (1) organization on the proposed amendment.

COMMENT #1: The commission received comments from three (3) individuals who voiced general opposition to proposed changes to this rule.

RESPONSE: The commission thanks the individuals for their comments.

COMMENT #2: The commission received comments from two (2) individuals and one (1) organization who voiced opposition to proposed changes to this rule, questioned whether double fencing is sufficiently protective of the free-ranging deer herd, stated that the rule is not in the spirit of the department's mission, and voiced concerns that any expansion of confined cervid facilities increases the possibility of further spread of Chronic Wasting Disease and introduces additional unnecessary risk to Missouri's deer herd.

RESPONSE: The commission thanks the individuals and organizations for their comments and recognizes their concerns. Cervid breeding facilities and hunting preserves within Missouri currently operate on a single fence regulation, including those facilities that were already permitted prior to moratorium on new facilities within twenty-five- (25-) mile from a CWD positive location. In addition, new facilities outside of the twenty-five- (25-) mile buffer may still be constructed and permitted given the current regulations. This change in regulation would allow for new facilities located ten to twenty-five (10-25) miles from a CWD positive deer facility but require a more stringent regulation than other facilities already located within that buffer and those facilities located elsewhere in the state. Published research from Michigan suggests that double fencing will reduce direct contact between free-ranging and captive cervids via escapes and nose-to-nose contact, and will likely reduce risk of transmission through indirect routes (VerCauteren, Kurt C., et al. 2007. *Fence Line Contact Between Wild and Farmed White Tailed Deer in Michigan: Potential for Disease Transmission*. The Journal of Wildlife Management 71:1603-1606). We recognize the comments regarding concerns on fencing regulations regardless if the facility is double fenced. However, we must reflect on 3 CSR 10-9.220 Wildlife Confinement Standards, 3 CSR 10-9.565 Licensed Hunting Preserve: Privileges, and 3 CSR 10-9.354 Privileges of Class III Wildlife Breeders, which address fencing standards and maintenance and escapee reporting. In addition, Class III Wildlife Breeders and Licensed Big Game Hunting Preserves are required to follow CWD testing and cervid movement requirements developed by the Department of Conservation. Lastly, live white-tailed deer, white-tailed deer hybrids, mule deer, and mule deer-hybrids may not be imported into Missouri, which further reduces CWD risk within Missouri.

We reiterate that while this amendment will allow new facilities between ten (10) and twenty-five (25) miles of a confirmed CWD positive animal, double fencing will help mitigate risks associated with the transfer of CWD between

animals. The twenty-five (25) mile prohibition of new permits was put in place as a compromise to avoid requiring all facilities to be double fenced and was based on published dispersal distances of white-tailed deer in the Midwest. Recent data from a cooperative study in Missouri has data supporting an average dispersal distance for white-tailed deer to be closer to ten (10) miles; however, this is an average, with dispersals still well known to occur beyond ten (10) miles. As part of discussions with the captive cervid industry, providing opportunity for new operations between ten (10) and twenty-five (25) miles of a confirmed CWD positive cervid with a double-fencing requirement is a satisfactory reduction of risk to the deer population on both sides of the fence.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 9 – Wildlife Code: Confined Wildlife:
Privileges, Permits, Standards**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-9.565 Licensed Hunting Preserve: Privileges
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 17, 2022 (47 MoReg 1504-1507). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Conservation Commission received comments from six (6) individuals, one (1) organization, and one (1) city on the proposed amendment.

COMMENT #1: The commission received comments from three (3) individuals and one (1) city who voiced general support to proposed changes to this rule, however specific comments pertained to proposed amendments to 3 CSR 10-11.160 Use of Boats and Motors.

RESPONSE: The commission thanks the individuals and city for their comments.

COMMENT #2: The commission received comments from three (3) individuals who voiced general opposition to proposed changes to this rule.

RESPONSE: The commission thanks the individuals and organization for their comments.

COMMENT #3: The commission received comments from one (1) organization who voiced opposition to proposed changes to this rule, questioned whether double fencing is sufficiently protective of the free-ranging deer herd, stated that the rule is not in the spirit of the department's mission, and voiced concerns that any expansion of confined cervid facilities increases the possibility of further spread of Chronic Wasting Disease and introduces additional unnecessary risk to Missouri's deer herd.

RESPONSE: The commission thanks the individuals and organizations for their comments and recognizes their concerns. Cervid breeding facilities and hunting preserves within Missouri currently operate on a single fence regulation, including those facilities that were already permitted prior to moratorium on new facilities within twenty-five- (25-) mile from

a CWD positive location. In addition, new facilities outside of the twenty-five- (25-) mile buffer may still be constructed and permitted given the current regulations. This change in regulation would allow for new facilities located ten to twenty-five (10-25) miles from a CWD positive deer facility but require a more stringent regulation than other facilities already located within that buffer and those facilities located elsewhere in the state. Published research from Michigan suggests that double fencing will reduce direct contact between free-ranging and captive cervids via escapes and nose-to-nose contact, and will likely reduce risk of transmission through indirect routes (VerCauteren, Kurt C., et al. 2007. *Fence Line Contact Between Wild and Farmed White Tailed Deer in Michigan: Potential for Disease Transmission*. The Journal of Wildlife Management 71:1603-1606). We recognize the comments regarding concerns on fencing regulations regardless if the facility is double fenced. However, we must reflect on 3 CSR 10-9.220 Wildlife Confinement Standards, 3 CSR 10-9.565 Licensed Hunting Preserve: Privileges, and 3 CSR 10-9.354 Privileges of Class III Wildlife Breeders, which address fencing standards and maintenance and escapee reporting. In addition, Class III Wildlife Breeders and Licensed Big Game Hunting Preserves are required to follow CWD testing and cervid movement requirements developed by the Department of Conservation. Lastly, live white-tailed deer, white-tailed deer hybrids, mule deer, and mule deer-hybrids may not be imported into Missouri, which further reduces CWD risk within Missouri.

We reiterate that while this amendment will allow new facilities between ten (10) and twenty-five (25) miles of a confirmed CWD positive animal, double fencing will help mitigate risks associated with the transfer of CWD between animals. The twenty-five (25) mile prohibition of new permits was put in place as a compromise to avoid requiring all facilities to be double fenced and was based on published dispersal distances of white-tailed deer in the Midwest. Recent data from a cooperative study in Missouri has data supporting an average dispersal distance for white-tailed deer to be closer to ten (10) miles; however, this is an average, with dispersals still well known to occur beyond ten (10) miles. As part of discussions with the captive cervid industry, providing opportunity for new operations between ten (10) and twenty-five (25) miles of a confirmed CWD positive cervid with a double-fencing requirement is a satisfactory reduction of risk to the deer population on both sides of the fence.

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 11 – Wildlife Code: Special Regulations for
Department Areas

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-11.115 Closings is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2022 (47 MoReg 1281). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 11 – Wildlife Code: Special Regulations for
Department Areas

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-11.160 Use of Boats and Motors is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 17, 2022 (47 MoReg 1508). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Conservation Commission received comments from two hundred forty-three (243) individuals and one (1) city on the proposed amendment.

COMMENT #1: The commission received comments from two hundred eight (208) individuals and one (1) city who voiced support for proposed changes to this rule.

RESPONSE: The commission thanks the individuals who voiced support for the regulation changes.

COMMENT #2: The commission received comments from eight (8) individuals who voiced support for proposed changes to this rule, and who shared concerns the changes could potentially allow for the transfer of invasive species such as zebra mussels.

RESPONSE: The proposed amendment provides for additional public use opportunity on specific waterbodies of two conservation areas. These areas currently allow specific public uses, such as fishing, where transfer of aquatic invasive species is possible. Since this threat currently exists it should not be a barrier to increased public use.

COMMENT #3: The commission received comments from twelve (12) individuals who voiced general opposition to proposed changes to this rule.

RESPONSE: The commission thanks the individuals for their comments.

COMMENT #4: The commission received comments from twelve (12) individuals who voiced opposition to proposed changes to this rule, citing concerns of overcrowding, overfishing, littering, and enforceability.

RESPONSE: At Busch (August A.) Memorial Conservation Area, private citizens could only launch canoes and kayaks on specific waterbodies after registering their boat at the area headquarters and obtaining an area boating tag. The registration process will limit the number of users on a specific waterbody and help control potential issues like overcrowding and resource abuse. At Reed (James A.) Memorial Wildlife Area, the ability to launch carry-in boats and float tubes is limited to waterfowl hunting pools and four specific waterbodies.

COMMENT #5: The commission received comments from three (3) individuals who voiced opposition to proposed changes to this rule, citing concerns regarding the potential transfer of invasive species such as zebra mussels.

RESPONSE: The proposed amendment provides for additional public use opportunity on specific waterbodies of two conservation areas. These areas currently allow specific public uses, such as fishing, where transfer of aquatic invasive species is

possible. Since this threat currently exists it should not be a barrier to increased public use.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 11 – Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-11.184 Quail Hunting is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2022 (47 MoReg 1281-1282). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 11 – Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-11.185 Dove Hunting is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2022 (47 MoReg 1282-1284). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 11 – Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-11.215 Fishing, Length Limits is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2022 (47 MoReg 1285). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective

thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 12 – Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-12.110 Use of Boats and Motors is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2022 (47 MoReg 1285). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 12 – Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-12.135 Fishing, Methods is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2022 (47 MoReg 1285-1286). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 12 – Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-12.140 Fishing, Daily and Possession Limits
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register*

on September 1, 2022 (47 MoReg 1286-1288). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 12 – Wildlife Code: Special Regulations for
Areas Owned by Other Entities

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-12.145 Fishing, Length Limits is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2022 (47 MoReg 1289). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 5 – DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20 – Division of Learning Services
Chapter 400 – Office of Educator Quality

ORDER OF RULEMAKING

By the authority vested in the State Board of Education (board) under sections 161.092, 168.011, 168.071, and 168.081, RSMo 2016, and sections 168.021 and 168.036, RSMo Supp. 2022, the board amends a rule as follows:

5 CSR 20-400.220 Application for Substitute Certificate of
License to Teach is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 3, 2022 (47 MoReg 1424-1425). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 7 – MISSOURI DEPARTMENT OF
TRANSPORTATION
Division 10 – Missouri Highways and Transportation
Commission
Chapter 25 – Motor Carrier Operations

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 304.200, RSMo 2016, and section 304.180, RSMo Supp. 2022, the commission amends a

rule as follows:

7 CSR 10-25.020 Oversize/Overweight Permits is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 15, 2022 (47 MoReg 1229-1233). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Highways and Transportation Commission received five (5) comments on the proposed amendment.

COMMENT #1: Matthew Kelp (Kelp) requested changes to the amendment that would exempt certain loads from urban rush-hour curfew (those that are up to 12'6" wide, 15' high, and 110' long).

RESPONSE: This request is outside of the purview of the amendment and therefore cannot be addressed at this point. No changes will be made to the amendment as a result of this comment.

COMMENT #2: Kelp requested the creation of an annual overweight and oversize blanket permit for the movement of construction equipment.

RESPONSE: This request is outside of the purview of the amendment and therefore cannot be addressed at this point. No changes will be made to the amendment as a result of this comment.

COMMENT #3: Kelp requested an increase in width limits for nighttime oversize movement from 10'6" to 12'6", only requiring an escort when the load is wider than 10'6" on two lane roads only.

RESPONSE: This request is outside of the purview of the amendment and therefore cannot be addressed at this point. No changes will be made to the amendment as a result of this comment.

COMMENT #4: Kelp requested that for loads 12'6" to 14' wide, removal of the rear escort requirement for two-lane routes off the designated route system (one escort vehicle in front would still be required), and removal of the 6:30-9 a.m. and 3:30-6 p.m. curfew for all undivided routes.

RESPONSE: This request is outside of the purview of the amendment and therefore cannot be addressed at this point. No changes will be made to the amendment as a result of this comment.

COMMENT #5: Kelp requests the department to permit standard configurations (within the envelope weights of 22,000 on a single axle, 46,000 on a tandem, 60,000 on a tridem, and 72,000 on a quad) up to 13 axles as routine, rather than superload, with a maximum possible weight of 260,000 pounds.

RESPONSE: This request is outside of the purview of the amendment and therefore cannot be addressed at this point. No changes will be made to the amendment as a result of this comment.

TITLE 10 – DEPARTMENT OF NATURAL RESOURCES
Division 20 – Clean Water Commission
Chapter 6 – Permits

ORDER OF RULEMAKING

By the authority vested in the Clean Water Commission under sections 536.023(3) and 644.026, RSMo 2016, the commission

amends a rule as follows:

**10 CSR 20-6.010 Construction and Operating Permits
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2022 (47 MoReg 1079–1081). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on the proposed amendment was held September 1, 2022, and the public comment period ended September 8, 2022. At the public hearing Missouri Department of Natural Resources staff explained the purpose of the proposed amendment. No comments were made at the public hearing. The department received two (2) comments during the public comment period.

COMMENT #1: Robert J. Brundage, Brundage Environmental and Ag Law LLC, commenting on behalf of the Missouri Pork Association and the Missouri Cattlemen's Association, stated: "I am writing on behalf of the Missouri Pork Association and the Missouri Cattlemen's Association. MPA and MCA support the proposed changes to the continuing authority regulation. This regulation proposes to exempt 'industrial stormwater permits, industrial no-discharge permits, and construction stormwater permits from the higher level continuing authority requirements.' MDNR previously clarified and confirmed that concentrated animal feeding operation permits are considered 'industrial no-discharge permits.' As required by the current regulation, it makes no sense to require a no-discharge CAFO to certify that the closest municipality or higher continuing authority, which almost always is miles away, does not want to accept hog waste when the CAFO permit does not allow the CAFO to discharge or to pass its wastewater to a third party to discharge. Consequently, MPA and MCA support these proposed change and urges the Clean Water Commission to adopt them."

RESPONSE: No changes have been made to the amendment as a result of this comment.

COMMENT #2: Garrett Hawkins, commenting on behalf of Missouri Farm Bureau stated: "On behalf of Missouri Farm Bureau (MOFB), I am writing in support of the Department of Natural Resources' (DNR) proposed changes to its continuing authority regulation that will exempt permits for industrial stormwater, industrial no-discharge and construction stormwater from higher level continuing authority requirements. DNR's current regulation requires a no-discharge concentrated animal feeding operation (CAFO) to certify that the closest municipality or higher continuing authority will not accept livestock waste, even though CAFO permits do not allow these operations to discharge or pass wastewater to a third party to discharge. DNR's proposed rulemaking is a common-sense move to reduce red-tape and provide regulatory certainty for livestock producers. MOFB stands in support of this action and recommends the Clean Water Commission adopt it without delay."

RESPONSE: No changes have been made to the amendment as a result of this comment.

**TITLE 10 – DEPARTMENT OF NATURAL RESOURCES
Division 20 – Clean Water Commission
Chapter 6 – Permits**

ORDER OF RULEMAKING

By the authority vested in the Clean Water Commission under

sections 536.023(3) and 644.026, RSMo 2016, the commission amends a rule as follows:

10 CSR 20-6.200 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2022 (47 MoReg 1081–1082). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on the proposed amendment was held September 1, 2022, and the public comment period ended September 8, 2022. At the public hearing Missouri Department of Natural Resources staff explained the purpose of the proposed amendment. No comments were made at the public hearing. The department received four (4) comments during the public comment period.

COMMENT #1: Robert J. Brundage, Brundage Environmental and Ag Law LLC, commenting on behalf of the Missouri Forest Products Association, stated: "I'm writing you on behalf of the Missouri Forest Products Association. MFPA supports the proposed amendment to the stormwater regulation 6.200 that incorporates the silvicultural exemption. This exemption is recognized in the federal Clean Water Act. Therefore, it is appropriate for the Missouri Clean Water Commission to recognize this exemption in its stormwater regulations."

RESPONSE: No changes have been made to the amendment as a result of this comment.

COMMENT #2: Garrett Hawkins, commenting on behalf of Missouri Farm Bureau stated: "On behalf of Missouri Farm Bureau (MOFB), I am writing in support of the Department of Natural Resources' (DNR) proposed changes to its stormwater regulations regarding silviculture activities. The federal Clean Water Act already contains an exemption for silviculture, therefore it is appropriate for DNR's regulations to follow suit. This is a common-sense move to provide clarity for those involved in this important industry to our state. MOFB stands in support of this action and recommends the Clean Water Commission adopt it without delay."

RESPONSE: No changes have been made to the amendment as a result of this comment.

COMMENT #3: Errin Kemper, P.E., Director of Environmental Services, City of Springfield MO, stated: "This City of Springfield is in support of the proposed amendment to allow the Department to approve requests from MS4s to implement a Qualifying Local Program (QLP) and has the following comments on the proposed language:

- Section 7.B.2.D: The following additional language in bold is suggested to more clearly describe what is required in a site plan per the state permit and to ensure the Department has flexibility to approve a QLP that does not require submittal of the site plan for review prior to permit issuance for sites disturbing less than one acre that are part of a larger common plan. This is consistent with the City's MS4 permit.

"Requirements to submit a site plan for review **for sites disturbing one acre or greater** that incorporates considerations of potential water quality impacts **such as relevant site characteristics, construction-related activities, and BMPs.**"

- Section 7.B.4.B: The second sentence regarding site-specific permits is incomplete. We appreciate the Department's work on this rule to provide a QLP option for MS4 communities."

RESPONSE: No changes have been made to the amendment as a result of this comment. The comment on paragraph (7) (B)4.B. regarding an incomplete sentence was reviewed by

staff and corrected as noted in #4 below. The bolded language suggestion from this comment did not result in a change to the amendment language.

COMMENT #4: In reviewing this proposed amendment, department staff determined that additional information is necessary in the following sections to correct grammatical errors: subsections (7)(A) and (7)(B) and subparagraphs (7)(B)4.A. and (7)(B)4.B.

RESPONSE AND EXPLANATION OF CHANGE: The department concurs and corrected the errors as requested.

10 CSR 20-6.200 Storm Water Regulations

(7) Qualifying Local Programs.

(A) Regulated municipal separate storm sewer systems (MS4s) may request department approval to implement a qualifying local program. A qualifying local program is a formal recognition that a regulated MS4 has a department-approved local sediment and erosion control program that meets or exceeds the requirements listed in 10 CSR 20-6.200(7)(B) for construction and land disturbance activities occurring within the regulated MS4's jurisdiction. While a regulated MS4 has an approved qualifying local program, construction and land disturbance activities in its jurisdiction for which the regulated MS4 has issued a land disturbance or equivalent permit do not require an NPDES operating permit from the department.

(B) Qualifying local programs are for storm water discharges associated with land disturbance activities only, which includes clearing, grubbing, excavating, grading, and other activities that result in the destruction of the root zone and have potential to cause negative impacts to receiving waterbodies. Each approved qualifying local program shall include reviewing site plans, inspecting construction sites, and taking enforcement action against owners or operators of sites that are polluting the waters of the state within its jurisdiction.

1. Qualifying local programs are only applicable to regulated MS4s, as defined in paragraph (1)(D)24. of this rule, including large, medium, or small MS4s, as defined in paragraphs (1)(D)10., 15., and 29., respectively, of this rule.

2. At a minimum, a qualifying local program shall include—

A. Requirements for construction site operators to implement appropriate erosion and sediment control best management practices that meet or exceed applicable state requirements;

B. Requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause negative impacts to water quality;

C. Requirements for construction site operators to develop and implement a storm water pollution prevention plan. A storm water pollution prevention plan includes site descriptions, descriptions of appropriate control measures to protect water quality, copies of approved state, tribal, or local requirements, maintenance procedures, inspection procedures, and identification of non-storm water discharges; and

D. Requirements to submit a site plan for review that incorporates considerations of potential water quality impacts.

3. Regulated MS4s seeking to become recognized as having a qualifying local program may apply by sending a letter to the department requesting formal recognition pursuant to this subsection.

4. The department will review each request to become recognized as a qualifying local program submitted by a reg-

ulated MS4.

A. The department will review the regulated MS4's land disturbance program and compliance history to determine eligibility and to ensure that the program meets or exceeds state requirements outlined in the Missouri land disturbance permit and the MS4 permit.

B. If the department concurs that the regulated MS4 is eligible to have a qualifying local program and that its land disturbance program meets or exceeds applicable state requirements, then the department will incorporate the local requirements specific to that regulated MS4's qualifying local program into its permit. If covered by a site-specific permit, the department will modify its MS4 permit if necessary. If under a general two-step permit, the MS4 shall modify and public notice its stormwater management plan for thirty (30) days to incorporate the local requirements specific to that regulated MS4's qualifying local program.

C. For site-specific MS4 permits, the regulated MS4 must submit a modified storm water management plan within thirty (30) days of the MS4 permit modification. For general two-step permits, the regulated MS4 must submit the modified storm water management plan after the public notice is complete.

D. After the department receives and approves the modified storm water management plan, the department will send official correspondence to the regulated MS4 indicating that the department has approved its qualifying local program.

5. A regulated MS4 may end its qualifying local program at its discretion upon written notice to the department. The qualifying local program shall remain effective for at least ninety (90) days after the date the written notice is sent to the department, ending on a date determined by the regulated MS4. This provides time for the regulated MS4 to notify all affected construction site permit holders of the need to obtain a Missouri state operating permit for land disturbance.

6. The department may revoke any qualifying local program designation if the regulated MS4 does not comply with this rule or the program requirements as established. The department's revocation may be appealed to the Missouri Clean Water Commission by the regulated MS4 or by any adversely affected party within thirty (30) days of the date of revocation. The appeal shall be filed with the Administrative Hearing Commission, 131 W. High St., PO Box 1557, Jefferson City, MO 65101 and shall be a contested case and be conducted pursuant to section 644.066, RSMo. The filing of an appeal shall stay the department's revocation. If the revocation is not appealed, or upon the final disposition of an appeal in which the revocation is sustained, the qualifying local program shall remain effective for ninety (90) days after the department's revocation or final disposition of the appeal, whichever occurs later. This provides time for the regulated MS4 to notify all affected construction site permit holders of the need to obtain a Missouri state operating permit for land disturbance.

TITLE 10 – DEPARTMENT OF NATURAL RESOURCES Division 90 – State Parks Chapter 2 – State Parks Administration

ORDER OF RULEMAKING

By the authority vested in the Division of State Parks under section 253.035, RSMo 2016, the division amends a rule as follows:

10 CSR 90-2.010 Definitions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2022 (47 MoReg 1289–1290). No changes have

been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 10 – DEPARTMENT OF NATURAL RESOURCES
Division 90 – State Parks
Chapter 2 – State Parks Administration**

ORDER OF RULEMAKING

By the authority vested in the Division of State Parks under section 253.035, RSMo 2016, the division amends a rule as follows:

**10 CSR 90-2.030 Camping and Recreational Activities
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2022 (47 MoReg 1290). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 10 – DEPARTMENT OF NATURAL RESOURCES
Division 90 – State Parks
Chapter 2 – State Parks Administration**

ORDER OF RULEMAKING

By the authority vested in the Division of State Parks under section 253.035, RSMo 2016, the division amends a rule as follows:

10 CSR 90-2.050 Organized Group Camps is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2022 (47 MoReg 1291). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 13 – DEPARTMENT OF SOCIAL SERVICES
Division 70 – MO HealthNet Division
Chapter 95 – Private Duty Nursing Care Under the
Healthy Children and Youth Program**

ORDER OF RULEMAKING

By the authority vested in the Department of Social Services, MO HealthNet Division, under sections 208.153, 208.201, and 660.017, RSMo 2016, the division amends a rule as follows:

13 CSR 70-95.010 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register*

on September 1, 2022 (47 MoReg 1299-1300). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: One (1) comment was received by the MO HealthNet Division.

COMMENT #1: The MO Healthnet Division comments that: In section (3), “S” should be removed, and also the word “Program” should be changed to “Partner.” CHAP = Community Health Accreditation Partner.

RESPONSE AND EXPLANATION OF CHANGE: The MO Healthnet Division will make the following change.

13 CSR 70-95.010 Private Duty Nursing

(3) Criteria for Providers of Private Duty Nursing Care for Children.

(A) A provider of private duty nursing care must have a valid MO HealthNet Private Duty Nursing Provider Agreement in effect with the Department of Social Services, Missouri Medicaid Audit and Compliance Unit (MMAC). To enroll, the applicant must be a Medicare-certified and MO HealthNet-enrolled home health agency, or be accredited by Joint Commission for Accreditation of Health Organization (JCAHO), or be accredited by Community Health Accreditation Partner (CHAP), or submit a Private Duty Nursing Provider Agreement Addendum to MMAC Provider Enrollment.

**TITLE 19 – DEPARTMENT OF HEALTH AND SENIOR
SERVICES
Division 20 – Division of Community and Public
Health
Chapter 20 – Communicable Diseases**

ORDER OF RULEMAKING

By the authority vested in the Missouri Department of Health and Senior Services under sections 192.006 and 192.020, RSMo 2016, the department amends a rule as follows:

**19 CSR 20-20.020 Reporting Infectious, Contagious,
Communicable, or Dangerous Diseases is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 15, 2022 (47 MoReg 1371-1374). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Department of Health and Senior Services received twenty-seven (27) letters containing four (4) comments.

COMMENT #1: G.N. Arthur, Cathy Boero, Tony Boero, Donna Bohn, Melinda Fisher, Michael Lamb, Michelle Lamb, Emilie Lunt, Debbie Moore, Norma Parker, Kim Penrod, Kathy Place, Michele Smith, Claudia Stuppy, Carol Trankler, Theodore Trankler, Stephen F. Walter, and Jo Anne Westerheide, comment that monkeypox infections are rare in Missouri and mostly occur amongst a minority population within the state. These comments note the department’s website states “Monkeypox is a rare disease caused by the monkeypox virus. Overall risk to the public remains low.” The comments also note that “98% of people who get [Monkeypox] are men who have sex with

other men.”

RESPONSE: The department understands the comments. Many of the diseases currently reportable within one (1) day are relatively rare in Missouri. The one- (1-) day reporting requirement for many of these diseases allows the department to quickly allocate its limited vaccine supply to impacted areas to address outbreaks. No changes have been made to the amendment as a result of this comment.

COMMENT #2: Donna Bohn, Patricia Hess, Debbie Moore, Kim Penrod, Peggy Walker, and Jo Anne Westerheide, comment that monkeypox is not dangerous or communicable enough to be reportable in one day. The comments note the department’s website states “This virus does not spread as easily as others do, such as the virus that causes COVID-19.”

RESPONSE: The department understands the comments. Monkeypox is a communicable disease that can be spread through direct physical contact and through indirect means such as touching surfaces an infected person has touched. The one- (1-) day reporting requirement allows the department to quickly allocate its limited vaccine supply to impacted areas to address outbreaks. No changes have been made to the amendment as a result of this comment.

COMMENT #3: Debbie Moore, Kim Penrod, Peggy Walker, and two (2) anonymous commenters comment that monkeypox does not meet the criteria of 19 CSR 20-20.020 for inclusion as a reportable disease, in that it does not pose a risk to national security, is not easily disseminated or transmitted from person to person, and does not have a high mortality rate.

RESPONSE: The criteria mentioned in these comments is located in 19 CSR 20-20.020(1), regarding immediately reportable diseases. The proposed amendment is to section 19 CSR 20-20.020(2), regarding one- (1-) day reporting which does not contain or reference the criteria quoted in the comments. No changes have been made to the amendment as a result of this comment.

COMMENT #4: Emilie Lunt, Kathy Place, Kim Penrod, Peggy Walker, and Stephen F. Walter, comment that reporting a disease on this list can lead to intrusive control measures that may infringe upon civil rights of Missouri citizens.

RESPONSE: The department understands the comments. Reporting the presence of monkeypox, or any other disease listed in this section informs the department of the presence of a disease so that the department may consider a variety of options to assist those impacted by the disease and their community. This can include making more vaccine available in that community and providing warnings of the presence of the disease in the community so that individuals may make informed choices regarding potential threats to their health. No changes have been made to the amendment as a result of this comment.

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE

Division 500 – Property and Casualty Chapter 4 – Rating Laws

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Commerce and Insurance under sections 375.031, 375.136, 379.318(2), and 379.470(6), RSMo 2016, and section 379.321.3, RSMo Supp. 2022, the director amends a rule as follows:

20 CSR 500-4.300 Rate Variations (Consent Rate) Prerequisites is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 15, 2022 (47 MoReg 1381). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE

Division 2120 – State Board of Embalmers and Funeral Directors

Chapter 1 – Organization and Description of Board

ORDER OF RULEMAKING

By the authority vested in the State Board of Embalmers and Funeral Directors under section 333.111, RSMo 2016, the board amends a rule as follows:

20 CSR 2120-1.040 Definitions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 3, 2022 (47 MoReg 1443). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE

Division 2120 – State Board of Embalmers and Funeral Directors

Chapter 2 – General Rules

ORDER OF RULEMAKING

By the authority vested in the State Board of Embalmers and Funeral Directors under section 333.111, RSMo 2016, the board amends a rule as follows:

20 CSR 2120-2.010 Embalmer’s Registration and Apprenticeship is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 3, 2022 (47 MoReg 1443-1445). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE

Division 2120 – State Board of Embalmers and Funeral Directors

Chapter 2 – General Rules

ORDER OF RULEMAKING

By the authority vested in the State Board of Embalmers and Funeral Directors under section 333.111, RSMo 2016, the board

amends a rule as follows:

20 CSR 2120-2.060 Funeral Directing is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 3, 2022 (47 MoReg 1445-1448). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE**

**Division 2245 – Real Estate Appraisers
Chapter 2 – General Rules**

ORDER OF RULEMAKING

By the authority vested in the Real Estate Appraisers Commission under section 339.509, RSMo 2016, the commission amends a rule as follows:

20 CSR 2245-2.020 Commission Action is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 3, 2022 (47 MoReg 1448). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE**

**Division 2245 – Real Estate Appraisers
Chapter 2 – General Rules**

ORDER OF RULEMAKING

By the authority vested in the Real Estate Appraisers Commission under section 339.509, RSMo 2016, the commission amends a rule as follows:

20 CSR 2245-2.030 Records is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 3, 2022 (47 MoReg 1448-1449). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE**

**Division 2245 – Real Estate Appraisers
Chapter 3 – Applications for Certification and
Licensure**

ORDER OF RULEMAKING

By the authority vested in the Real Estate Appraisers Com-

mission under section 339.509, RSMo 2016, the commission amends a rule as follows:

20 CSR 2245-3.010 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 3, 2022 (47 MoReg 1449-1450). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The commission received one (1) comment.

COMMENT #1: Staff noticed that after section (5) was rewritten the rule did not define the acronyms for USPAP and AQB. It was suggested to replace the acronym with the full name of the organization.

RESPONSE AND EXPLANATION OF CHANGE: The commission concurs and has amended subsection (5)(B).

20 CSR 2245-3.010 Applications for Certification and Licensure

(5) Applicants.

(B) All experience shall have been obtained after January 30, 1989, and shall be Uniform Standards of Professional Appraisal Practice compliant. Acceptable appraisal experience as defined by the Appraiser Qualifications Board includes but is not limited to the following (this should not be construed as limiting credit to only those individuals who are state-certified or state-licensed):

1. Fee and staff appraisal;
2. *Ad valorem* tax appraisal;
3. Technical review appraisal;
4. Appraisal analysis;
5. Real estate consulting;
6. Highest and best use analysis;
7. Feasibility analysis/study; and
8. Condemnation appraisal.

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE**

**Division 2245 – Real Estate Appraisers
Chapter 6 – Educational Requirements**

ORDER OF RULEMAKING

By the authority vested in the Real Estate Appraisers Commission under section 339.509, RSMo 2016, the commission rescinds a rule as follows:

20 CSR 2245-6.016 Examinations and Education is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 3, 2022 (47 MoReg 1450). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE
Division 2245 – Real Estate Appraisers
Chapter 6 – Educational Requirements**

ORDER OF RULEMAKING

By the authority vested in the Real Estate Appraisers Commission under section 339.509, RSMo 2016, the commission rescinds a rule as follows:

20 CSR 2245-6.040 Case Study Courses is **rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 3, 2022 (47 MoReg 1450). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE
Division 2245 – Real Estate Appraisers
Chapter 7 – Prelicense Course Approval**

ORDER OF RULEMAKING

By the authority vested in the Real Estate Appraisers Commission under section 339.509, RSMo 2016, the commission amends a rule as follows:

20 CSR 2245-7.060 Investigation and Review is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 3, 2022 (47 MoReg 1450-1451). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE
Division 2245 – Real Estate Appraisers
Chapter 8 – Continuing Education**

ORDER OF RULEMAKING

By the authority vested in the Real Estate Appraisers Commission under section 339.509, RSMo 2016, the commission amends a rule as follows:

20 CSR 2245-8.020 Course Approval is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 3, 2022 (47 MoReg 1451). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE
Division 2245 – Real Estate Appraisers
Chapter 8 – Continuing Education**

ORDER OF RULEMAKING

By the authority vested in the Real Estate Appraisers Commission under section 339.509, RSMo 2016, the commission amends a rule as follows:

20 CSR 2245-8.050 Investigation and Review is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 3, 2022 (47 MoReg 1451). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE
Division 2267 – Office of Tattooing, Body Piercing,
and Branding
Chapter 2 – Licensing Requirements**

ORDER OF RULEMAKING

By the authority vested in the Office of Tattooing, Body Piercing, and Branding under section 324.522, RSMo 2016, the office amends a rule as follows:

20 CSR 2267-2.020 Fees is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 3, 2022 (47 MoReg 1451-1454). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE
Division 4240 – Public Service Commission
Chapter 40 – Gas Utilities and Gas Safety Standards**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, 386.310, and 393.140, RSMo 2016, the commission amends a rule as follows:

20 CSR 4240-40.020 is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2022 (47 MoReg 1316-1318). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended

October 1, 2022, and the commission held a public hearing on the proposed amendment on October 4, 2022. The commission received timely written comments in support of the amendment from Jamie S. Myers, Deputy Counsel, on behalf of the staff of the commission. The commission received comments at the hearing regarding the amendment from Jamie S. Myers, Deputy Counsel, on behalf of its staff.

COMMENT #1: Staff made comments supporting the amendment of this rule stating that this update adopts amendments to the corresponding federal pipeline safety standards and makes clarifications and editorial changes to the Missouri gas safety rules.

Staff also stated that it was contacted by the Joint Committee on Administrative Rules (JCAR), which noted that the federal incident definition in 20 CSR 4240-40.020(2)(D) did not include the inflation-adjusted reporting threshold. JCAR additionally stated that the reporting threshold could only be found by using the formula included in Appendix A to 49 CFR part 191 or by looking at the Pipeline and Hazardous Materials Safety Administration's (PHMSA's) website, neither of which were incorporated by reference in the proposed amendment.

Staff recommended removing reference to future adjustments for inflation. Staff also found that effective July 1, 2022, PHMSA updated the property damage threshold to \$129,300. Staff recommended the updated property damage threshold be included in this revision.

Staff additionally recommended updating three of the PHMSA forms that are incorporated by reference in 20 CSR 4240-40.020 to reflect that those forms now have a revision date of March 2022. Staff also recommended that the form designation for one of the new PHMSA forms be updated from PHMSA F 7100.2-2 to PHMSA F 7100.2.2.

RESPONSE AND EXPLANATION OF CHANGE: The commission appreciates its staff's dedication to keeping the gas safety rules updated. The commission will amend the rule to incorporate its staff's proposed changes.

20 CSR 4240-40.020 Incident, Annual, and Safety-Related Condition Reporting Requirements

(2) Definitions. (191.3) As used in this rule and in the PHMSA Forms referenced in this rule –

(D) Federal incident means any of the following events:

1. An event that involves a release of gas from a pipeline, gas from an underground natural gas storage facility (UNGSF), liquefied natural gas (LNG), liquefied petroleum gas, refrigerant gas, or gas from an LNG facility, and that results in one (1) or more of the following consequences:

A. A death or personal injury necessitating inpatient hospitalization; or

B. Estimated property damage of one hundred twenty-nine thousand three hundred dollars (\$129,300) or more, including loss to the operator and others, or both, but excluding the cost of gas lost; or

C. Unintentional estimated gas loss of three (3) million cubic feet or more;

2. An event that results in an emergency shutdown of an LNG facility or an UNGSF. Activation of an emergency shutdown system for reasons other than an actual emergency does not constitute an incident; or

3. An event that is significant, in the judgment of the operator, even though it did not meet the criteria of paragraph (2)(D)1. or (2)(D)2.

(5) Report Submission Requirements. (191.7)

(B) Missouri incident reports.

1. This subsection applies to events that meet the criteria

in subsection (4)(A) but are not a federal incident reported under subsection (5)(A). Within thirty (30) days of a telephone notification made under subsection (4)(A), each gas operator must submit the applicable U.S. Department of Transportation Form PHMSA F 7100.1, PHMSA F 7100.2, or PHMSA F 7100.3 to designated commission personnel. Additional information required in subsections (6)(B) and (9)(B) for federal incidents is also required for these events.

2. The incident report forms for gas distribution systems (PHMSA F 7100.1, revised May 2021), gas transmission and gathering pipeline systems (PHMSA F 7100.2, revised March 2022), and LNG facilities (PHMSA F 7100.3, revised April 2019) are incorporated by reference in subsection (5)(G).

(G) Forms incorporated by reference.

1. The following forms are incorporated by reference and made part of this rule.

A. U.S. Department of Transportation Form PHMSA F 1000.1, revised January 2020. The PHMSA F 1000.1 form is the Operator Identification (OPID) Assignment Request form and does not include any amendments or additions to the January 2020 version.

B. U.S. Department of Transportation Form PHMSA F 1000.2, revised March 2022. The PHMSA F 1000.2 form is the National Registry Notification form for reporting changes including operator name change, change in entity operating, shared safety program change, change in ownership for gas facilities, construction or rehabilitation of gas facilities, change in ownership for LNG, and construction for LNG. The PHMSA F 1000.2 form does not include any amendments or additions to the March 2022 version.

C. U.S. Department of Transportation Form PHMSA F 7100.1, revised May 2021. The PHMSA F 7100.1 form is the incident report form for gas distribution systems and does not include any amendments or additions to the May 2021 version.

D. U.S. Department of Transportation Form PHMSA F 7100.1-1, revised May 2021. The PHMSA F 7100.1-1 form is the annual report form for gas distribution systems and does not include any amendments or additions to the May 2021 version.

E. Reserved.

F. U.S. Department of Transportation Form PHMSA F 7100.2, revised March 2022. The PHMSA F 7100.2 form is the incident report form for gas transmission and gathering pipeline systems and does not include any amendments or additions to the March 2022 version.

G. U.S. Department of Transportation Form PHMSA F 7100.2-1, revised March 2022. The PHMSA F 7100.2-1 form is the annual report form for gas transmission and gathering pipeline systems and does not include any amendments or additions to the March 2022 version.

H. U.S. Department of Transportation Form PHMSA F 7100.3, revised April 2019. The PHMSA F 7100.3 form is the incident report form for LNG facilities and does not include any amendments or additions to the April 2019 version.

I. U.S. Department of Transportation Form PHMSA F 7100.3-1, revised October 2014. The PHMSA F 7100.3-1 form is the annual report form for LNG facilities and does not include any amendments or additions to the October 2014 version.

J. U.S. Department of Transportation Form PHMSA F 7100.4-1, approved August 2017. The PHMSA F 7100.4-1 form is the annual report form for underground natural gas storage facilities and does not include any amendments or additions to the August 2017 version.

K. U.S. Department of Transportation Form PHMSA F 7100.2.2, approved March 2022. The PHMSA F 7100.2.2 form is the incident report form for reporting-regulated gathering pipeline systems and does not include any amendments or additions to the March 2022 version.

L. U.S. Department of Transportation Form PHMSA

7100.2-3, approved March 2022. The PHMSA F 7100.2-3 form is the annual report form for reporting-regulated gathering pipeline systems and does not include any amendments or additions to the March 2022 version.

2. The forms listed in paragraph (5)(D)1. are published by the U.S. Department of Transportation Office of Pipeline Safety, PHP-10, 1200 New Jersey Avenue SE, Washington, DC 20590-0001. The forms are available at www.phmsa.dot.gov/forms/pipeline-forms or upon request from the pipeline safety program manager at the address given in subsection (5)(E).

(9) Transmission Systems; Gathering Systems; Liquefied Natural Gas Facilities; and Underground Natural Gas Storage Facilities – Federal Incident Report. (191.15)

(A) Transmission or gathering.

1. Each operator of a transmission or a regulated onshore gathering pipeline system must submit U.S. Department of Transportation Form PHMSA F 7100.2 as soon as practicable but not more than thirty (30) days after detection of an incident required to be reported under section (3). (191.5) See the report submission requirements in subsection (5)(A). The incident report form (revised March 2022) is incorporated by reference in subsection (5)(G).

2. Each operator of a reporting-regulated gathering pipeline system must submit U.S. Department of Transportation Form PHMSA F 7100.2.2 as soon as practicable but not more than thirty (30) days after detection of an incident required to be reported under section (3) (191.5) that occurs after May 16, 2022. See the report submission requirements in subsection (5)(A). The incident report form (revised March 2022) is incorporated by reference in subsection (5)(G).

(C) Underground natural gas storage facility. Each operator of an UNGSF must submit U.S. Department of Transportation Form PHMSA F 7100.2 as soon as practicable but not more than thirty (30) days after detection of an incident required to be reported under section (3). (191.5) See the report submission requirements in subsection (5)(A). The incident report form (revised March 2022) is incorporated by reference in subsection (5)(G).

(10) Transmission Systems; Gathering Systems; Liquefied Natural Gas Facilities; and Underground Natural Gas Storage Facilities – Annual Report. (191.17)

(A) Transmission or gathering.

1. Each operator of a transmission or a regulated onshore gathering pipeline system must submit an annual report for that system on U.S. Department of Transportation Form PHMSA F 7100.2-1. This report must be submitted each year, not later than March 15, for the preceding calendar year. See the report submission requirements in subsection (5)(A). The annual report form (revised March 2022) is incorporated by reference in subsection (5)(G).

2. Type R gathering. Beginning with an initial annual report submitted in March 2023 for the 2022 calendar year, each operator of a reporting-regulated gas gathering pipeline system must submit an annual report for that system on U.S. Department of Transportation Form PHMSA F 7100.2-3. This report must be submitted each year, not later than March 15, for the preceding calendar year. See the report submission requirements in subsection (5)(A). The annual report form (revised March 2022) is incorporated by reference in subsection (5)(G).

(B) LNG. Each operator of a liquefied natural gas facility must submit an annual report for that system on U.S. Department of Transportation Form PHMSA F 7100.3-1. This report must be submitted each year, not later than March 15, for the preceding calendar year. See the report submission requirements in subsection (5)(A). The annual report form (revised October

2014) is incorporated by reference in subsection (5)(G).

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE

Division 4240 – Public Service Commission Chapter 40 – Gas Utilities and Gas Safety Standards

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.410, RSMo 2016, the commission amends a rule as follows:

20 CSR 4240-40.030 Safety Standards – Transportation of Gas by Pipeline is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2022 (47 MoReg 1318-1334). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended October 1, 2022, and the commission held a public hearing on the proposed amendment on October 4, 2022. The commission received timely written comments in support of the amendment from Jamie S. Myers, Deputy Counsel, on behalf of the staff of the commission. The commission received comments at the hearing regarding the amendment from Jamie S. Myers, Deputy Counsel, on behalf of staff.

COMMENT #1: Staff made comments supporting the amendment of this rule stating that this update adopts amendments to the corresponding federal pipeline safety standards and makes clarifications and editorial changes to the Missouri gas safety rules.

RESPONSE: The commission appreciates its staff's dedication to keeping the gas safety rules updated. No change was made to the amendment as a result of this comment.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs, and other items required to be published in the *Missouri Register* by law.

TITLE 11 – DEPARTMENT OF PUBLIC SAFETY

[Division 10—Adjutant General]

Chapter 11—State Emergency Management Agency]

Division 20—State Emergency Management Agency

Chapter 1—Administration

IN ADDITION

Due to the creation of the Department of the National Guard, which became effective December 8, 2022, the following State Emergency Management Agency rules need to be moved from Division 10—Adjutant General to a newly created Division 20—State Emergency Management Agency.

11 CSR [10-11.060] 20-1.060 State Agency Reimbursement

TITLE 11 – DEPARTMENT OF PUBLIC SAFETY

[Division 10—Adjutant General]

Chapter 11—State Emergency Management Agency]

Division 20—State Emergency Management Agency

Chapter 1—Administration

IN ADDITION

Due to the creation of the Department of the National Guard, which became effective December 8, 2022, the following State Emergency Management Agency rules need to be moved from Division 10—Adjutant General to a newly created Division 20—State Emergency Management Agency.

11 CSR [10-11.080] 20-1.080 Individual Assistance

TITLE 11 – DEPARTMENT OF PUBLIC SAFETY

[Division 10—Adjutant General]

Chapter 11—State Emergency Management Agency]

Division 20—State Emergency Management Agency

Chapter 1—Administration

IN ADDITION

Due to the creation of the Department of the National Guard, which became effective December 8, 2022, the following State Emergency Management Agency rules need to be moved from Division 10—Adjutant General to a newly created Division 20—State Emergency Management Agency.

11 CSR [10-11.210] 20-1.210 General Organization Missouri Emergency Response Commission

TITLE 11 – DEPARTMENT OF PUBLIC SAFETY

[Division 10—Adjutant General]

Chapter 11—State Emergency Management Agency]

Division 20—State Emergency Management Agency

Chapter 1—Administration

IN ADDITION

Due to the creation of the Department of the National Guard,

which became effective December 8, 2022, the following State Emergency Management Agency rules need to be moved from Division 10—Adjutant General to a newly created Division 20—State Emergency Management Agency.

11 CSR [10-11.220] 20-1.220 Definitions

TITLE 11 – DEPARTMENT OF PUBLIC SAFETY

[Division 10—Adjutant General]

Chapter 11—State Emergency Management Agency]

Division 20—State Emergency Management Agency

Chapter 1—Administration

IN ADDITION

Due to the creation of the Department of the National Guard, which became effective December 8, 2022, the following State Emergency Management Agency rules need to be moved from Division 10—Adjutant General to a newly created Division 20—State Emergency Management Agency.

11 CSR [10-11.230] 20-1.230 Emergency Notification of Releases of Hazardous Substances and Extremely Hazardous Substances

TITLE 11 – DEPARTMENT OF PUBLIC SAFETY

[Division 10—Adjutant General]

Chapter 11—State Emergency Management Agency]

Division 20—State Emergency Management Agency

Chapter 1—Administration

IN ADDITION

Due to the creation of the Department of the National Guard, which became effective December 8, 2022, the following State Emergency Management Agency rules need to be moved from Division 10—Adjutant General to a newly created Division 20—State Emergency Management Agency.

11 CSR [10-11.240] 20-1.240 Reporting Procedures Under the State and Federal Emergency Planning and Community Right-to-Know Act (EPCRA)

TITLE 11 – DEPARTMENT OF PUBLIC SAFETY

[Division 10—Adjutant General]

Chapter 11—State Emergency Management Agency]

Division 20—State Emergency Management Agency

Chapter 1—Administration

IN ADDITION

Due to the creation of the Department of the National Guard, which became effective December 8, 2022, the following State Emergency Management Agency rules need to be moved from Division 10—Adjutant General to a newly created Division 20—State Emergency Management Agency.

11 CSR [10-11.250] 20-1.250 Hazardous Chemical Fees

**TITLE 19 – DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 60 – Missouri Health Facilities
Review Committee
Chapter 50 – Certificate of Need Program**

**NOTIFICATION OF REVIEW:
APPLICATION REVIEW SCHEDULE**

The Missouri Health Facilities Review Committee has initiated review of the CON applications listed below. A decision is tentatively scheduled for March 6, 2023. These applications are available for public inspection at the address shown below.

Date Filed

Project Number: Project Name
City (County)
Cost, Description

12/21/2022

#5990 RS: Senior Star at Wexford Place
Kansas City (Platte County)
\$4,355,000, Establish 67-bed RCF

12/22/2022

#5994 HS: Centerpoint Medical Center
Independence (Jackson County)
\$2,383,708, Add additional robotic surgery system

#5992 HS: Barnes-Jewish Hospital
St. Louis (St. Louis City)
\$2,050,000, Acquire MRI-guided neuro surgical ultrasound

#5993 HS: Missouri Baptist Medical Center
St. Louis (St. Louis County)
\$1,060,000, Replace single-plane angiography unit (C-Arm)

Any person wishing to request a public hearing for the purpose of commenting on these applications must submit a written request to this effect, which must be received by January 22, 2023. All written requests and comments should be sent to –

Chairman
Missouri Health Facilities Review Committee
c/o Certificate of Need Program
3418 Knipp Drive, Suite F
PO Box 570
Jefferson City, MO 65102
For additional information contact Alison Dorge at alison.dorge@health.mo.gov.

The Secretary of State is required by sections 347.141 and 359.481, RSMo, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to adrules.dissolutions@sos.mo.gov.

NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY

NOTICE OF WINDING UP TO ALL CREDITORS OF AND CLAIMANTS AGAINST
ROBES, LLC, a Missouri limited liability company.

On December 9, 2022, ROBES, LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. Said Notice was effective on December 9, 2022

The Company requests that all persons and organizations who have claims against it present them immediately by letter to the Company to the attention of Edward Chod c/o Greensfelder, Hemker & Gale, P.C., 10 S. Broadway, Suite 2000, St. Louis, Missouri 63102.

All claims must include (i) the name and address of the claimant; (ii) the amount claimed; (iii) the basis for the claim; and (iv) the date(s) on which the event(s) on which the claim is based occurred, and (v) any other documentation of the claim.

NOTICE: Pursuant to Section 347.141 RSMo., any claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of this notice.

NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY

NOTICE OF WINDING UP TO ALL CREDITORS OF AND CLAIMANTS AGAINST
RBS INVESTMENTS OF MISSOURI, LLC, a Missouri limited liability company.

On December 9, 2022, RBS INVESTMENTS OF MISSOURI, LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. Said Notice was effective on December 9, 2022

The Company requests that all persons and organizations who have claims against it present them immediately by letter to the Company to the attention of Edward Chod c/o Greensfelder, Hemker & Gale, P.C., 10 S. Broadway, Suite 2000, St. Louis, Missouri 63102.

All claims must include (i) the name and address of the claimant; (ii) the amount claimed; (iii) the basis for the claim; and (iv) the date(s) on which the event(s) on which the claim is based occurred, and (v) any other documentation of the claim.

NOTICE: Pursuant to Section 347.141 RSMo., any claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of this notice.

NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY

NOTICE OF WINDING UP TO ALL CREDITORS OF AND CLAIMANTS AGAINST
ARKANSAS INVESTMENTS, LLC, a Missouri limited liability company.

On December 9, 2022, ARKANSAS INVESTMENTS, LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. Said Notice was effective on December 9, 2022

The Company requests that all persons and organizations who have claims against it present them immediately by letter to the Company to the attention of Edward Chod c/o Greensfelder, Hemker & Gale, P.C., 10 S. Broadway, Suite 2000, St. Louis, Missouri 63102.

All claims must include (i) the name and address of the claimant; (ii) the amount claimed; (iii) the basis for the claim; and (iv) the date(s) on which the event(s) on which the claim is based occurred, and (v) any other documentation of the claim.

NOTICE: Pursuant to Section 347.141 RSMo., any claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of this notice.

NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY

NOTICE OF WINDING UP TO ALL CREDITORS OF AND CLAIMANTS AGAINST
ALLAMO I, LLC, a Missouri limited liability company.

On December 9, 2022, ALLAMO I, LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. Said Notice was effective on December 9, 2022

The Company requests that all persons and organizations who have claims against it present them immediately by letter to the Company to the attention of Edward Chod c/o Greensfelder, Hemker & Gale, P.C., 10 S. Broadway, Suite 2000, St. Louis, Missouri 63102.

All claims must include (i) the name and address of the claimant; (ii) the amount claimed; (iii) the basis for the claim; and (iv) the date(s) on which the event(s) on which the claim is based occurred, and (v) any other documentation of the claim.

NOTICE: Pursuant to Section 347.141 RSMo., any claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of this notice.

**NOTICE OF DISSOLUTION
OF CORPORATION
TO ALL CREDITORS OF
AND CLAIMANTS AGAINST
THE EBERHARDT COMPANY, INC.**

Effective December 5, 2022, THE EBERHARDT COMPANY, INC. (f/k/a Eberhardt Manufacturing, Inc.), a Missouri corporation, filed Articles of Dissolution by Voluntary Action with the Missouri Secretary of State.

You may submit any claim against the corporation by mail in writing to: Jayne D. Corley, Stock Legal, LLC, 999 Executive Parkway Drive, Suite 104, St. Louis, Missouri 63141. All claims must include claimant's name, telephone number and address, the claim amount, the date the claim arose, the basis for the claim and documentation for the claim.

All claims against the corporation will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the publication of this notice.

**NOTICE OF DISSOLUTION TO ALL CREDITORS OF
AND CLAIMANTS AGAINST
THE MANHATTAN PROJECT, L.L.C.**

On December 1, 2022, The Manhattan Project, L.L.C., a Missouri limited liability company filed its Articles of Dissolution with the Missouri Secretary of State.

You are hereby notified that if you believe you have a claim against The Manhattan Project, L.L.C., you must submit a summary in writing of the circumstances surrounding your claim to Pat Nelson, Lewis Rice LLC, 1010 Walnut Street, Suite 500, Kansas City, Missouri 64106. The summary of your claim must include the following information: 1) The name, address, and telephone number of the claimant; 2) The amount of the claim; 3) The date on which the event on which the claim is based occurred; and 4) A brief description of the nature of the debt or the basis for the claim.

All claims against will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this Notice.

NOTICE OF CORPORATE DISSOLUTION

To All Creditors of and Claimants Against BJG Rental, Inc.:

On December 12, 2022, BJG Rental, Inc., a Missouri corporation, filed its Articles of Dissolution with the Missouri Secretary of State.

Said corporation requests that all persons and organizations who have claims against it present them immediately by letter to the corporation, c/o Nicholas K. Robb, Esq., 2301 Village Dr., Ste. B, St. Joseph, Missouri 64506.

All claims must include: the name, address, and telephone number of the claimant, the amount claimed, the basis for the claim, the date(s) on which the event(s) on which the claim is based occurred, and whether the claim is secured, and if so, a description of the collateral.

Because of the dissolution of BJG Rental, Inc., any claims against it will be barred unless a proceeding to enforce the claim is commenced within two years after the publication of the notices authorized by statute.

**NOTICE OF DISSOLUTION AND WINDING UP OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF
AND CLAIMANTS AGAINST OA CENTERS OF KANSAS CITY, LLC**

On November 30, 2022, OA Centers of Kansas City, LLC, a Missouri limited liability company (the "Company") filed a Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State, effective as of November 30, 2022.

All persons with claims against the Company may submit any claim in accordance with this notice to: Murphy, Taylor, Siemens & Elliott P.C., 3007 Frederick Ave., St. Joseph, MO 64506 Attention: Seth W. Slayden. All claims must include the name, address, and telephone number of the claimant; the amount claimed; the basis for the claim; the documentation of the claim; and the date(s) of the event(s) on which the claim is based occurred.

All claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three years after the publication of this notice.

**NOTICE OF WINDING UP
TO ALL CREDITORS AND CLAIMANTS AGAINST
DFC GROUP, INC.**

DFC GROUP, INC., a Missouri corporation, filed its Articles of Dissolution by Voluntary Action with the Missouri Secretary of State on December 15, 2022. Any and all claims against DFC GROUP, INC. may be sent to Carl C. Lang, 7733 Forsyth Blvd., Suite 400, Clayton, MO 63105. Each claim should include the following information: the name, address and telephone number of the claimant; the amount of the claim; the basis of the claim; and the date(s) on which the event(s) on which the claim is based occurred.

Any and all claims against DFC GROUP, INC. will be barred unless a proceeding to enforce such claim is commenced within two (2) years after the date this notice is published.

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*. Citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year – 47 (2022) and 48 (2023). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
1 CSR 10	OFFICE OF ADMINISTRATION				
1 CSR 10-3.010	State Officials' Salary Compensation Schedule				47 MoReg 1457
1 CSR 15-1.207	Commissioner of Administration		48 MoReg 40		
	Administrative Hearing Commission		47 MoReg 1767		
	DEPARTMENT OF AGRICULTURE				
2 CSR 60-4.110	Grain Inspection and Warehousing		47 MoReg 823		
2 CSR 60-5.100	Grain Inspection and Warehousing		47 MoReg 824		
2 CSR 80-2.190	State Milk Board		47 MoReg 966	47 MoReg 1596	
2 CSR 80-5.010	State Milk Board		47 MoReg 966	47 MoReg 1596	
2 CSR 90-10.020	Weights, Measures and Consumer Protection		47 MoReg 1424		
2 CSR 90-21.010	Weights, Measures and Consumer Protection		48 MoReg 41		
	DEPARTMENT OF CONSERVATION				
3 CSR 10-7.410	Conservation Commission		This Issue		
3 CSR 10-7.431	Conservation Commission		This Issue		
3 CSR 10-7.433	Conservation Commission		This Issue		
3 CSR 10-7.450	Conservation Commission		This Issue		
3 CSR 10-7.455	Conservation Commission			This Issue	
3 CSR 10-9.354	Conservation Commission		47 MoReg 1501	This Issue	
3 CSR 10-9.565	Conservation Commission		47 MoReg 1504	This Issue	
3 CSR 10-11.115	Conservation Commission		47 MoReg 1281	This Issue	
3 CSR 10-11.120	Conservation Commission		This Issue		
3 CSR 10-11.160	Conservation Commission		47 MoReg 1508	This Issue	
3 CSR 10-11.184	Conservation Commission		47 MoReg 1281	This Issue	
3 CSR 10-11.185	Conservation Commission		47 MoReg 1282	This Issue	
3 CSR 10-11.215	Conservation Commission		47 MoReg 1285	This Issue	
3 CSR 10-12.110	Conservation Commission		47 MoReg 1285	This Issue	
3 CSR 10-12.135	Conservation Commission		47 MoReg 1285	This Issue	
3 CSR 10-12.140	Conservation Commission		47 MoReg 1286	This Issue	
3 CSR 10-12.145	Conservation Commission		47 MoReg 1289	This Issue	
	DEPARTMENT OF ECONOMIC DEVELOPMENT				
4 CSR 80-6.010	Economic Development Programs		47 MoReg 1709R		
4 CSR 85-1.010	Division of Business and Community Services		47 MoReg 1709R		
4 CSR 85-3.010	Division of Business and Community Services		47 MoReg 1709R		
4 CSR 85-3.020	Division of Business and Community Services		47 MoReg 1710R		
4 CSR 85-3.030	Division of Business and Community Services		47 MoReg 1710R		
4 CSR 85-3.040	Division of Business and Community Services		47 MoReg 1710R		
4 CSR 85-3.050	Division of Business and Community Services		47 MoReg 1711R		
4 CSR 260-1.010	Division of Savings and Loan Supervision		47 MoReg 1711R		
	DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION				
5 CSR 20-100.210	Division of Learning Services		47 MoReg 550		
5 CSR 20-400.220	Division of Learning Services	47 MoReg 1419	47 MoReg 1424	This Issue	
5 CSR 20-400.370	Division of Learning Services		47 MoReg 1425		
5 CSR 20-400.610	Division of Learning Services		47 MoReg 1077	48 MoReg 95	
5 CSR 20-500.250	Division of Learning Services		47 MoReg 780	47 MoReg 1596	
5 CSR 25-100.120	Office of Childhood		47 MoReg 1573		
5 CSR 25-100.330	Office of Childhood		47 MoReg 1078	48 MoReg 96	
5 CSR 25-200.060	Office of Childhood		47 MoReg 1430		
5 CSR 25-400.105	Office of Childhood		47 MoReg 1576		
5 CSR 25-500.102	Office of Childhood		47 MoReg 1577		
5 CSR 30-4.030	Division of Financial and Administrative Services		47 MoReg 872	47 MoReg 1723	
5 CSR 30-660.090	Division of Financial and Administrative Services	47 MoReg 779	47 MoReg 784	47 MoReg 1596	
	DEPARTMENT OF HIGHER EDUCATION AND WORKFORCE DEVELOPMENT				
6 CSR 10-2.080	Commissioner of Higher Education		47 MoReg 1579R		
6 CSR 10-2.090	Commissioner of Higher Education		47 MoReg 1579R		
6 CSR 10-2.110	Commissioner of Higher Education		47 MoReg 1767R		
6 CSR 10-4.030	Commissioner of Higher Education		This Issue R		
6 CSR 25-1.010	Central Missouri State University		This Issue R		
6 CSR 250-1.010	University of Missouri		This Issue R		
6 CSR 250-1.020	University of Missouri		This Issue R		
6 CSR 250-2.010	University of Missouri		This Issue R		
6 CSR 250-2.020	University of Missouri		This Issue R		
	MISSOURI DEPARTMENT OF TRANSPORTATION				
7 CSR 10-1.020	Missouri Highways and Transportation Commission		47 MoReg 967	47 MoReg 1773	
7 CSR 10-7.010	Missouri Highways and Transportation Commission		This Issue		
7 CSR 10-7.030	Missouri Highways and Transportation Commission		This Issue		
7 CSR 10-17.020	Missouri Highways and Transportation Commission		47 MoReg 1508		
7 CSR 10-17.030	Missouri Highways and Transportation Commission		47 MoReg 1511		
7 CSR 10-17.040	Missouri Highways and Transportation Commission		47 MoReg 1512		
7 CSR 10-17.050	Missouri Highways and Transportation Commission		47 MoReg 1512		
7 CSR 10-17.060	Missouri Highways and Transportation Commission		47 MoReg 1514		

RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
7 CSR 10-25.010	Missouri Highways and Transportation Commission		47 MoReg 967	47 MoReg 1773	
7 CSR 10-25.020	Missouri Highways and Transportation Commission		47 MoReg 1229	This Issue	
7 CSR 10-25.030	Missouri Highways and Transportation Commission		47 MoReg 968	47 MoReg 1773	
7 CSR 10-25.070	Missouri Highways and Transportation Commission		47 MoReg 968	47 MoReg 1773	
7 CSR 10-25.071	Missouri Highways and Transportation Commission		47 MoReg 968	47 MoReg 1774	
7 CSR 10-25.080	Missouri Highways and Transportation Commission		47 MoReg 969	47 MoReg 1774	
7 CSR 10-25.090	Missouri Highways and Transportation Commission		47 MoReg 969	47 MoReg 1774	
7 CSR 60-1.010	Highway Safety and Traffic Division		47 MoReg 1515R 47 MoReg 1515		
7 CSR 60-1.020	Highway Safety and Traffic Division		47 MoReg 1516R 47 MoReg 1516		
7 CSR 60-1.030	Highway Safety and Traffic Division		47 MoReg 1517R 47 MoReg 1517		
7 CSR 60-1.040	Highway Safety and Traffic Division		47 MoReg 1518R 47 MoReg 1518		
7 CSR 60-1.050	Highway Safety and Traffic Division		47 MoReg 1519R		
7 CSR 60-1.060	Highway Safety and Traffic Division		47 MoReg 1519R		
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7 CSR 60-1.090	Highway Safety and Traffic Division		47 MoReg 1520R		
7 CSR 60-1.100	Highway Safety and Traffic Division		47 MoReg 1520R		
7 CSR 60-1.110	Highway Safety and Traffic Division		47 MoReg 1521R		
7 CSR 60-2.010	Highway Safety and Traffic Division		47 MoReg 824	47 MoReg 1679	
7 CSR 60-2.020	Highway Safety and Traffic Division		47 MoReg 826	47 MoReg 1679	
7 CSR 60-2.030	Highway Safety and Traffic Division		47 MoReg 826	47 MoReg 1679	
7 CSR 60-2.040	Highway Safety and Traffic Division		47 MoReg 827	47 MoReg 1679	
7 CSR 60-2.050	Highway Safety and Traffic Division		47 MoReg 827	47 MoReg 1680	
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7 CSR 60-3.010	Highway Safety and Traffic Division		47 MoReg 828R 47 MoReg 828	47 MoReg 1680R 47 MoReg 1680	
7 CSR 265-9.010	Motor Carrier and Railroad Safety		This Issue		
7 CSR 265-9.020	Motor Carrier and Railroad Safety		This Issue		
7 CSR 265-9.050	Motor Carrier and Railroad Safety		This Issue		
7 CSR 265-9.100	Motor Carrier and Railroad Safety		This Issue		
7 CSR 265-9.110	Motor Carrier and Railroad Safety		This Issue		
7 CSR 265-10.017	Motor Carrier and Railroad Safety		47 MoReg 970	47 MoReg 1774	
7 CSR 265-10.025	Motor Carrier and Railroad Safety		47 MoReg 970	47 MoReg 1775	
7 CSR 265-10.035	Motor Carrier and Railroad Safety		47 MoReg 971	47 MoReg 1775	
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9 CSR 10-5.210	Director, Department of Mental Health		47 MoReg 1233	47 MoReg 1775	
9 CSR 30-3.190	Certification Standards		47 MoReg 1432R 47 MoReg 1433		
9 CSR 30-7.010	Certification Standards		47 MoReg 1768		
9 CSR 45-2.010	Division of Developmental Disabilities		47 MoReg 1580		
9 CSR 45-2.015	Division of Developmental Disabilities		47 MoReg 1585		
9 CSR 45-2.017	Division of Developmental Disabilities		47 MoReg 1587		
9 CSR 45-2.020	Division of Developmental Disabilities		47 MoReg 1591		
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10 CSR 20-6.010	Clean Water Commission		47 MoReg 1079	This Issue	
10 CSR 20-6.200	Clean Water Commission		47 MoReg 1081	This Issue	
10 CSR 90-2.010	State Parks		47 MoReg 1289	This Issue	
10 CSR 90-2.030	State Parks		47 MoReg 1290	This Issue	
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10 CSR 140-8.010	Division of Energy		47 MoReg 1082	47 MoReg 1723W	
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11 CSR 10-11.060	Adjutant General <i>moved to 11 CSR 20-1.060</i>		This Issue		
11 CSR 10-11.080	Adjutant General <i>moved to 11 CSR 20-1.080</i>		This Issue		
11 CSR 10-11.210	Adjutant General <i>moved to 11 CSR 20-1.210</i>		This Issue		
11 CSR 10-11.220	Adjutant General <i>moved to 11 CSR 20-1.220</i>		This Issue		
11 CSR 10-11.230	Adjutant General <i>moved to 11 CSR 20-1.230</i>		This Issue		
11 CSR 10-11.240	Adjutant General <i>moved to 11 CSR 20-1.240</i>		This Issue		
11 CSR 10-11.250	Adjutant General <i>moved to 11 CSR 20-1.250</i>		This Issue		
11 CSR 20-1.060	State Emergency Management Agency <i>formerly 11 CSR 10-11.060</i>		This Issue		
11 CSR 20-1.080	State Emergency Management Agency <i>formerly 11 CSR 10-11.080</i>		This Issue		
11 CSR 20-1.210	State Emergency Management Agency <i>formerly 11 CSR 10-11.210</i>		This Issue		
11 CSR 20-1.220	State Emergency Management Agency <i>formerly 11 CSR 10-11.220</i>		This Issue		
11 CSR 20-1.230	State Emergency Management Agency <i>formerly 11 CSR 10-11.230</i>		This Issue		
11 CSR 20-1.240	State Emergency Management Agency <i>formerly 11 CSR 10-11.240</i>		This Issue		
11 CSR 20-1.250	State Emergency Management Agency <i>formerly 11 CSR 10-11.250</i>		This Issue		

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11 CSR 45-7.120	Missouri Gaming Commission		47 MoReg 1711		
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11 CSR 70-2.120	Division of Alcohol and Tobacco Control		47 MoReg 874	47 MoReg 1724	
11 CSR 70-2.130	Division of Alcohol and Tobacco Control		47 MoReg 875	47 MoReg 1724	
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13 CSR 35-60.075	Children's Division		This Issue		
13 CSR 40-37.010	Family Support Division		47 MoReg 1437R		
13 CSR 70-3.030	MO HealthNet Division		47 MoReg 1291		
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13 CSR 70-8.010	MO HealthNet Division		47 MoReg 1298		
13 CSR 70-15.010	MO HealthNet Division	47 MoReg 927	47 MoReg 973	47 MoReg 1775	
13 CSR 70-15.015	MO HealthNet Division	47 MoReg 944	47 MoReg 990	47 MoReg 1727	
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13 CSR 70-15.190	MO HealthNet Division	47 MoReg 1061	47 MoReg 1083	47 MoReg 1731	
13 CSR 70-15.220	MO HealthNet Division	47 MoReg 1062	47 MoReg 1085	47 MoReg 1784	
13 CSR 70-15.230	MO HealthNet Division	47 MoReg 960	47 MoReg 1006	47 MoReg 1731	
13 CSR 70-20.042	MO HealthNet Division		47 MoReg 1437	47 MoReg 1786W	
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13 CSR 70-90.010	MO HealthNet Division		47 MoReg 1716		
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13 CSR 70-97.010	MO HealthNet Division		47 MoReg 1716		
13 CSR 70-98.030	MO HealthNet Division		47 MoReg 1438		
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15 CSR 30-51.172	Secretary of State		This Issue		
15 CSR 30-200.015	Secretary of State		47 MoReg 1677		
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16 CSR 10-6.060	The Public School Retirement System of Missouri		47 MoReg 1301	47 MoReg 1786	
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19 CSR 20-60.010	Division of Community and Public Health		47 MoReg 1521		
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19 CSR 30-1.002	Division of Regulation and Licensure	47 MoReg 1481	47 MoReg 1522		
19 CSR 30-1.015	Division of Regulation and Licensure		47 MoReg 1375	48 MoReg 97	
19 CSR 30-1.017	Division of Regulation and Licensure		47 MoReg 1378	48 MoReg 97	
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19 CSR 60-50.400	Missouri Health Facilities Review Committee		47 MoReg 1100	47 MoReg 1732	
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19 CSR 60-50.420	Missouri Health Facilities Review Committee		47 MoReg 1110	47 MoReg 1736	
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19 CSR 60-50.450	Missouri Health Facilities Review Committee		47 MoReg 1122	47 MoReg 1741	
19 CSR 60-50.470	Missouri Health Facilities Review Committee		47 MoReg 1125	47 MoReg 1741	
19 CSR 60-50.500	Missouri Health Facilities Review Committee		47 MoReg 1128	47 MoReg 1741	
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20 CSR	Applied Behavior Analysis Maximum Benefit				47 MoReg 385
20 CSR	Construction Claims Binding Arbitration Cap				48 MoReg 43
20 CSR	Non-Economic Damages in Medical Malpractice Cap				47 MoReg 385
20 CSR	Sovereign Immunity Limits				47 MoReg 1801
20 CSR	State Legal Expense Fund Cap				48 MoReg 43
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20 CSR 2010-2.065	Missouri State Board of Accountancy		47 MoReg 1233	47 MoReg 1742	
20 CSR 2010-2.085	Missouri State Board of Accountancy		48 MoReg 86		
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20 CSR 2010-3.060	Missouri State Board of Accountancy		48 MoReg 90		
20 CSR 2010-4.031	Missouri State Board of Accountancy		48 MoReg 90		
20 CSR 2010-4.035	Missouri State Board of Accountancy		48 MoReg 90		
20 CSR 2030-5.110	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		47 MoReg 1718		
20 CSR 2030-5.120	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		47 MoReg 1719		
20 CSR 2030-5.130	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		47 MoReg 1719		
20 CSR 2030-6.015	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		47 MoReg 1720		
20 CSR 2030-14.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		47 MoReg 1720		
20 CSR 2030-14.030	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		47 MoReg 1721		
20 CSR 2030-14.040	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		47 MoReg 1721		
20 CSR 2095-1.020	Committee for Professional Counselors		47 MoReg 1544		
20 CSR 2063-2.005	Behavior Analyst Advisory Board		47 MoReg 1594		
20 CSR 2063-2.010	Behavior Analyst Advisory Board		47 MoReg 1594		
20 CSR 2120-1.040	State Board of Embalmers and Funeral Directors		47 MoReg 1443	This Issue	
20 CSR 2120-2.010	State Board of Embalmers and Funeral Directors		47 MoReg 1443	This Issue	
20 CSR 2120-2.060	State Board of Embalmers and Funeral Directors		47 MoReg 1445	This Issue	
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20 CSR 2150-5.024	State Board of Registration for the Healing Arts		47 MoReg 1381	48 MoReg 97	
20 CSR 2150-7.200	State Board of Registration for the Healing Arts	48 MoReg 37	48 MoReg 93		
20 CSR 2220-2.400	State Board of Pharmacy	47 MoReg 965			
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20 CSR 2230-2.010	State Board of Podiatric Medicine		47 MoReg 1139	47 MoReg 1680	
20 CSR 2233-2.010	State Committee of Marital and Family Therapists		47 MoReg 1139	47 MoReg 1680	
20 CSR 2234-3.010	Board of Private Investigator and Private Fire Investigator Examiners		This Issue		
20 CSR 2234-3.040	Board of Private Investigator and Private Fire Investigator Examiners		This Issue		
20 CSR 2235-5.030	State Committee Psychologists		This Issue		
20 CSR 2245-2.020	Real Estate Appraisers		47 MoReg 1448	This Issue	
20 CSR 2245-2.030	Real Estate Appraisers		47 MoReg 1448	This Issue	
20 CSR 2245-3.010	Real Estate Appraisers		47 MoReg 1449	This Issue	
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20 CSR 2267-2.020	Office of Tattooing, Body Piercing, and Branding		47 MoReg 1451	This Issue	
20 CSR 2267-2.034	Office of Tattooing, Body Piercing, and Branding		47 MoReg 1233R	47 MoReg 1742R	
20 CSR 2270-4.050	Missouri Veterinary Medical Board		This Issue		
20 CSR 4240-40.020	Public Service Commission		47 MoReg 1316	This Issue	
20 CSR 4240-40.030	Public Service Commission		47 MoReg 1318	This Issue	
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22 CSR 10-2.089	Health Care Plan	47 MoReg 1706	47 MoReg 1722		

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5 CSR 20-400.220	Application for Substitute Certificate of License to Teach	47 MoReg 1419	Sept. 14, 2022. March 12, 2023
Divisional of Financial and Administrative Services			
5 CSR 30-660.090	Charter School Local Education Agency (LEA) Attendance Hour Reporting	47 MoReg 779	May 3, 2022. Feb. 9, 2023
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12 CSR 10-2.436	SALT Parity Act Implementation.	Next Issue.	Jan. 11, 2023. July 9, 2023
12 CSR 10-41.010	Annual Adjusted Rate of Interest	47 MoReg 1703.	Jan. 1, 2023. June 29, 2023
Department of Social Services			
MO HealthNet Division			
13 CSR 70-15.010	Inpatient Hospital Services Reimbursement Methodology.	47 MoReg 927	July 1, 2022. Feb. 23, 2023
13 CSR 70-15.015	Direct Medicaid Payments	47 MoReg 944	July 1, 2022. Feb. 23, 2023
13 CSR 70-15.110	Federal Reimbursement Allowance (FRA)	47 MoReg 950	July 1, 2022. Feb. 23, 2023
13 CSR 70-15.160	Outpatient Hospital Services Reimbursement Methodology.	47 MoReg 956	July 1, 2022. Feb. 23, 2023
13 CSR 70-15.190	Out-of-State Hospital Services Reimbursement Plan	47 MoReg 1061.	July 1, 2022. Feb. 23, 2023
13 CSR 70-15.220	Disproportionate Share Hospital (DSH) Payments.	47 MoReg 1062	July 1, 2022. Feb. 23, 2023
13 CSR 70-15.230	Upper Payment Limit (UPL) Payment Methodology	47 MoReg 960	July 1, 2022. Feb. 23, 2023
Department of Health and Senior Services			
Division of Community and Public Health			
19 CSR 20-20.020	Reporting Infectious, Contagious, Communicable, or Dangerous Diseases	47 MoReg 1369.	Aug. 29, 2022. Feb. 24, 2023
Missouri State Public Health Laboratory			
19 CSR 25-30.021	Type I Permit.	47 MoReg 1706.	Nov. 16, 2022. May 14, 2023
Division of Regulation and Licensure			
19 CSR 30-1.002	Schedules of Controlled Substances.	47 MoReg 1481.	Oct. 3, 2022. March 31, 2023
19 CSR 30-20.144	Standards and Guidelines for Essential Caregiver Program.	47 MoReg 1495.	Sept. 29, 2022. March 27, 2023
19 CSR 30-40.410	Definitions and Abbreviations Relating to Trauma Centers	48 MoReg 5	Dec. 7, 2022. June 4, 2023
19 CSR 30-40.420	Trauma Center Designation Requirements	48 MoReg 5	Dec. 7, 2022. June 4, 2023
19 CSR 30-40.430	Standards for Trauma Center Designation	48 MoReg 11.	Dec. 7, 2022. June 4, 2023
19 CSR 30-40.710	Definitions and Abbreviations Relating to Stroke Centers	48 MoReg 13.	Dec. 7, 2022. June 4, 2023
19 CSR 30-40.720	Stroke Center Designation Application and Review	48 MoReg 14.	Dec. 7, 2022. June 4, 2023
19 CSR 30-40.730	Standards for Stroke Center Designation	48 MoReg 21.	Dec. 7, 2022. June 4, 2023
19 CSR 30-40.740	Definitions and Abbreviations Relating to ST-Segment Elevation Myocardial Infarction (STEMI) Centers	48 MoReg 24	Dec. 7, 2022. June 4, 2023
19 CSR 30-40.750	ST-Segment Elevation Myocardial Infarction (STEMI) Center Designation Application and Review	48 MoReg 24	Dec. 7, 2022. June 4, 2023
19 CSR 30-40.760	Standards for ST-Segment Elevation Myocardial Infarction (STEMI) Center Designation	48 MoReg 31.	Dec. 7, 2022. June 4, 2023
19 CSR 30-100.010	Newborn Safety Incubators	47 MoReg 1265.	Aug. 12, 2022. Feb. 23, 2023
Department of Commerce and Insurance			
Missouri Dental Board			
20 CSR 2110-2.133	Telehealth Dental Pilot Project in Medically Underserved Populations.	Next Issue.	Jan. 12, 2023. July 10, 2023
State Board of Registration for the Healing Arts			
20 CSR 2150-2.080	Physician Licensure Fees	48 MoReg 34	Jan. 1, 2023. June 29, 2023
20 CSR 2150-7.200	Physician Assistant Licensure Fees.	48 MoReg 37	Jan. 1, 2023. June 29, 2023
Missouri Consolidated Health Care Plan			
Health Care Plan			
22 CSR 10-2.089	Pharmacy Employer Group Waiver Plan for Medicare Primary Members	47 MoReg 1706.	Jan. 1, 2023. June 29, 2023

The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo.

ORDER	SUBJECT MATTER	FILED DATE	PUBLICATION
2022			
22-11	Extends Executive Order 22-08, the State of Emergency, and waivers until January 31, 2023	December 29, 2022	Next Issue
22-10	Declares that the current State of Emergency shall permit certain vehicles be temporarily exempt from some hours of service requirements.	December 21, 2022	Next Issue
22-09	Declares a call and order into active service of the organized militia and directs the Missouri State Emergency Operations Plan be activated due to forecasted severe winter storm systems.	December 20, 2022	Next Issue
22-08	Declares a State of Emergency and waives certain regulations to allow other registered entities to fill liquefied petroleum gas containers owned by Gygr-Gas.	December 15, 2022	This Issue
22-07	Extends Executive Order 22-04 to address drought-response efforts until March 1, 2023.	November 28, 2022	48 MoReg 39
22-06	Closes executive branch state offices for Friday, November 25, 2022.	November 7, 2022	47 MoReg 1708
Proclamation	Convenes the One Hundred First General Assembly in the First Extraordinary Session of the Second Regular Session regarding extension of agricultural tax credits and to enact legislation amending Missouri income tax.	August 22, 2022	47 MoReg 1420
22-05	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to severe storm systems.	July 26, 2022	47 MoReg 1279
22-04	Declares a drought alert for 53 Missouri counties and orders the director of the Department of Natural Resources to activate and designate a chairperson for the Drought Assessment Committee.	July 21, 2022	47 MoReg 1277
Proclamation	In accordance with <i>Dobbs</i> , Section 188.017, RSMo is hereby effective as of the date of this order.	June 24, 2022	47 MoReg 1075
22-03	Terminates the State of Emergency declared in Executive Order 22-02.	February 7, 2022	47 MoReg 411
22-02	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to forecasted severe winter storm systems.	February 1, 2022	47 MoReg 304
22-01	Establishes and Designates the Missouri Early Childhood State Advisory Council.	January 7, 2022	47 MoReg 222

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information, submissions or requests; 1 CSR 15-1.207; 12/15/22
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state milk board grade "A" milk policies; 2 CSR 80-2.190;
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3 CSR 10-11.215; 9/1/22, 1/17/23
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We offer both in-person and virtual classes.

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